

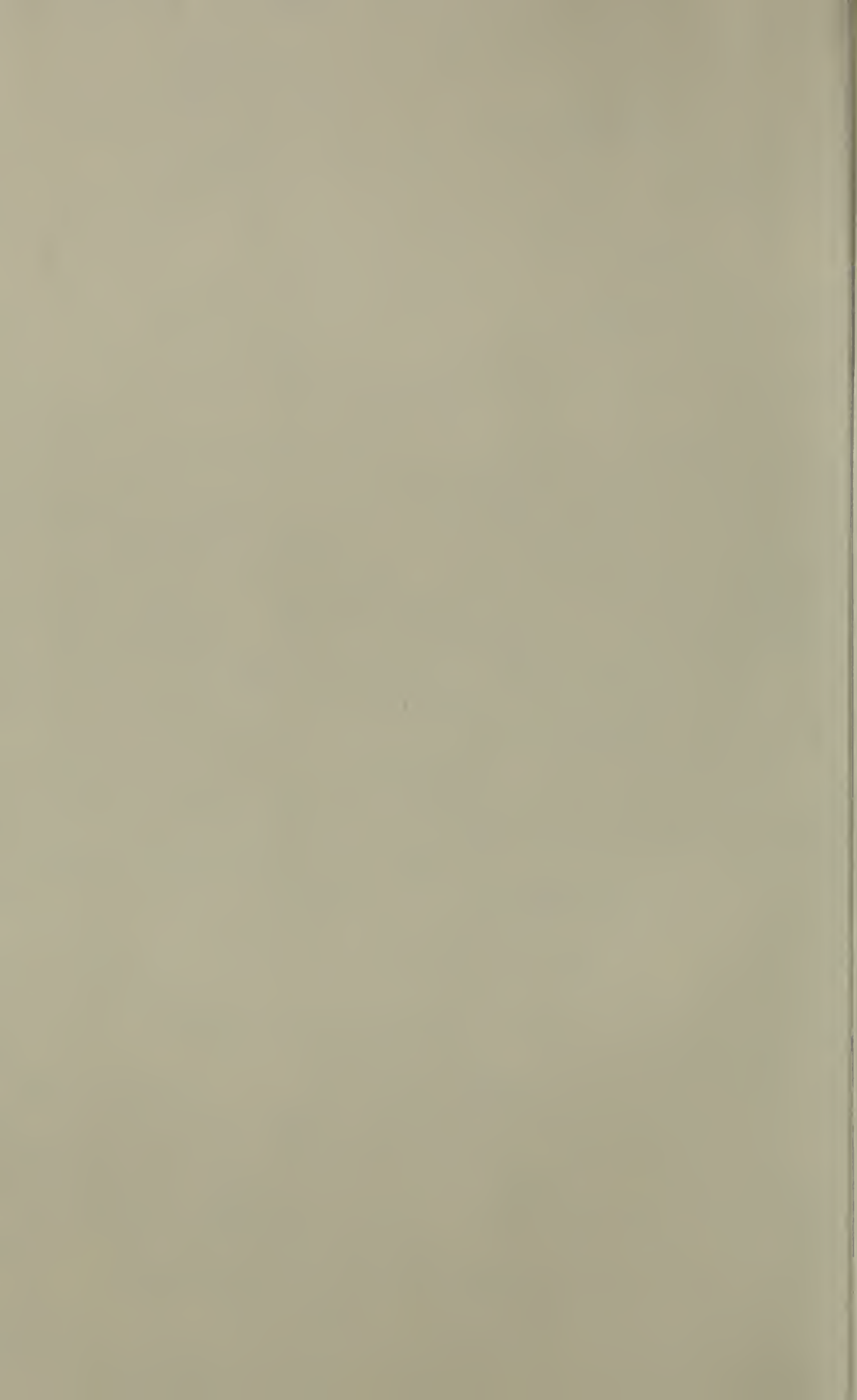
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MASS. GLB. 5. 5. 118
SENATE. No. 2000

The Commonwealth of Massachusetts

MASSACHUSETTS SENATE

GOVERNMENT DOCUMENTS
COLLECTION

AN ACT

SEP 14 1998

MAKING APPROPRIATIONS

University of Massachusetts
Depository Copy

FOR THE FISCAL YEAR

NINETEEN HUNDRED AND NINETY-EIGHT

FOR THE MAINTENANCE OF

THE DEPARTMENTS, BOARDS, COMMISSIONS,

INSTITUTIONS AND CERTAIN

ACTIVITIES OF THE COMMONWEALTH,

FOR INTEREST, SINKING FUND AND SERIAL BOND

REQUIREMENTS AND FOR CERTAIN

PERMANENT IMPROVEMENTS

**(Senate, No. 2000, Reprint of Senate, No. 1998,
as amended)**

May 21, 1997

[REPRINT OF SENATE, NO. 1998,
AS AMENDED.]

[Senate, May 21, 1997 — Substituted by the Senate as amended and changed by the committee on Bills in the Third Reading as a new text of House, No. 4401, An Act making appropriations for the fiscal year nineteen hundred and ninety-eight for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements.]

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Seven.

1 SECTION 1. To provide for the maintenance of the several
2 departments, boards, commissions and institutions, other services,
3 and for certain permanent improvements, and to meet certain
4 requirements of law, the sums set forth as state appropriations in
5 sections 2 and 2B for the several purposes and subject to the con-
6 ditions specified in said sections 2 and 2B and section 3 are
7 hereby appropriated from the General Fund unless specifically
8 designated otherwise, subject to the provisions of law regulating
9 the disbursement of public funds and the approval thereof, for the
10 fiscal year ending June 30, 1998. The sums set forth as federal
11 appropriations in section 2 for the several purposes and subject to
12 the conditions specified in said section 2 are hereby appropriated
13 from the General Federal Grants Fund, subject to the provisions of
14 law regulating the disbursement of public funds and the approval
15 thereof. Federal funds received in excess of the amount appropri-
16 ated in said section 2 shall be expended only in accordance with
17 the provisions of section 6B of chapter 29 of the General Laws.
18 The amounts of any unexpended balances of federal grant funds

19 received prior to June 30, 1997 and not included as part of an
 20 appropriation item in section 2, are hereby made available for
 21 expenditure during fiscal year 1998, addition to any amount
 22 appropriated in section two.

1 SECTION 1A. In accordance with Articles LXIII and CVII of
 2 the Articles of Amendment to the constitution and section 6D of
 3 chapter 29 of the General Laws, it is hereby declared that the
 4 amounts of revenue set forth in this section by source for the
 5 respective funds of the commonwealth for the fiscal year ending
 6 June 30, 1998 are necessary and sufficient to provide the means to
 7 defray the appropriations and expenditures from such funds for
 8 such fiscal year as set forth and authorized in sections 2 and 2B.
 9 The comptroller is hereby authorized and directed to keep a dis-
 10 tinct account of actual receipts from each such source by each
 11 such fund, to furnish the executive office for administration and
 12 finance and the house and senate committees on ways and means
 13 with quarterly statements comparing such receipts with the pro-
 14 jected receipts set forth herein and to include a full statement
 15 comparing such actual and projected receipts in the annual report
 16 for such fiscal year pursuant to section 13 of chapter 7A of the
 17 General Laws; provided, such quarterly and annual reports shall
 18 also include detailed statements of any other sources of revenue
 19 for the budgeted funds in addition to those specified in this
 20 section.

FY 1998 Revenue by Source and Budgetary Fund
(In Millions)

Source	All Funds	General Fund	Highway Fund	Local Aid Fund	Other Funds
Alcoholic Beverages	60.0	60.0	-	-	-
Commercial Banks	140.0	140.0	-	-	-
Savings Institutions	75.0	75.0	-	-	-
Cigarette	304.0	89.0	-	-	215.0
Corporations	900.0	540.0	-	360.0	-
Deeds	47.0	47.0	-	-	-
Estate/Inheritance	175.0	175.0	-	-	-
Income	7,162.4	4,297.4	-	2,865.0	-
Insurance	275.0	275.0	-	-	-

Source	All Funds	General Fund	Highway Fund	Local Aid Fund	Other Funds
Motor Fuels	600.0	84.0	507.6	-	8.4
Utilities	135.0	135.0	-	-	-
Room Occupancy	78.0	50.7	-	-	27.3
Sales & Use: Regular	1,950.0	1,170.	-	780.0	-
Sales & Use: Services	165.0	99.0	-	66.0	-
Sales & Use: Meals	375.0	225.0	-	150.0	-
Sales & Use: Motor Vehicles	385.0	231.0	-	154.0	-
Miscellaneous	0.4	0.4	-	-	-
Racing	10.0	10.0	-	-	-
Beano	3.6	3.6	-	-	-
Raffles/Bazaars	1.1	1.1	-	-	-
Division of Insurance	8.5	8.5	-	-	-
Total Consensus Taxes	12,850.0	7,716.7	507.6	4,375.0	250.7
Tax Enforcement	19.0	19.0	-	-	-
Deeds Excise	43.7	43.7	-	-	-
Personal Income Tax Reductions	-82.0	-49.2	-	-32.8	-
Total Taxes	12,830.7	7,730.2	507.6	4,342.2	250.7
Federal Reimbursements	2,698.8	2,615.4	3.4	2.9	77.1
Departmental Revenues	1,270.3	809.6	308.7	2.1	149.9
Transfers &					
Other Receipts	1,496.1	286.3	-	647.9	561.9
Total for Budget	18,295.9	11,441.5	819.7	4,995.1	1,039.6

1 SECTION 1B. The comptroller is hereby authorized and
2 directed to keep a distinct account of actual receipts of nontax
3 revenues by each department, board, commission or institution to
4 furnish the executive office for administration and finance and the
5 house and senate committees on ways and means with quarterly
6 statements comparing such receipts with projected receipts set
7 forth herein and to include a full statement comparing such
8 receipts with projected receipts in the annual report for such fiscal
9 year pursuant to section 13 of chapter 7A of the General Laws;
10 provided, such quarterly and annual reports shall also include
11 detailed statements of any other sources of revenue for the
12 budgeted funds in addition to those specified in this section.

Non-Tax Revenue Executive Office Summary

Source	FY 1998 Unrestricted Non-Tax	FY 1998 Restricted Non-Tax	FY 1998 Total Non-Tax
Judiciary	58,032,556	1,000,000	59,032,556
Executive	2,500	-	2,500
Secretary of State	75,738,456	23,000	75,761,456
Treasurer	420,495,978	539,665,201	960,161,179
Attorney General	6,573,109		6,573,109
Ethics Commission	33,000	-	33,000
Inspector General	-	100,000	100,000
Campaign and Political Finance	23,262	-	23,262
Comptroller	3,227,000	20,000	3,247,000
Administration and Finance	253,459,864	22,218,087	275,677,951
Environmental Affairs	76,256,889	1,465,506	77,722,395
Health and Human Services	3,150,873,331	231,448,149	3,382,321,480
Transportation and Construction	7,965,243	27,345	7,992,588
Board of Library Commissioners	1,200	-	1,200
Labor, Education and Development	249,547,226	966,814	250,514,040
Public Safety	339,192,115	23,485,000	362,677,115
Elder Affairs	323,175	3,000,000	3,323,175
Legislature	21,500	-	21,500
Total	4,641,766,404	823,419,102	5,465,185,506

Non-Tax Revenue Executive Office by Department Summary

Source	FY 1998 Unrestricted Non-Tax	FY 1998 Restricted Non-Tax	FY 1998 Total Non-Tax
Judiciary			
Supreme Judicial Court	980,690	-	980,690
Committee for Public Counsel	95,253	-	95,253
Appeals Court	293,200	-	293,200
Trial Court	56,663,413	1,000,000	57,663,413
Total, Judiciary	58,032,556	1,000,000	59,032,556
Executive	2,500	-	2,500
Secretary of State	75,738,456	23,000	75,761,456
Treasurer			
Treasurer's Office	188,278,697	-	188,278,697
State Lottery Commission	219,691,991	539,665,201	759,357,192
Mass Cultural Council	12,525,290	-	12,525,290
Total, Treasurer	420,495,978	539,665,201	960,161,179
Attorney General			
Attorney General	6,473,109	-	6,473,109
Victim Witness Assistance	100,000	-	100,000
Total, Attorney General	6,573,109	-	6,573,109
Ethics Commission	33,000	-	33,000
Inspector General	-	100,000	100,000
Campaign & Political Finance	23,262	-	23,262
Comptroller	3,227,000	20,000	3,247,000
Administration and Finance			
Office of the Secretary	34,100,000	90,000	34,190,000
Division of Fiscal Affairs	27,553,373	-	27,553,373
Capital Planning and Operations	5,123,737	13,197,944	18,321,681
Group Insurance Commission	110,034,882	-	110,034,882

Source	FY 1998 Unrestricted Non-Tax	FY 1998 Restricted Non-Tax	FY 1998 Total Non-Tax
Administrative Law Appeals Division	50,000	-	50,000
Commission Against Discrimination	800	1,533,344	1,534,144
Department of Revenue	73,890,523	4,297,176	78,187,699
Appellate Tax Board	1,700,250	-	1,700,250
Human Resources Division	200	1,200,000	1,200,200
Division of Operational Services	1,005,899	460,578	1,466,477
Division of Information Technology	200	1,439,045	1,439,245
Total Administration and Finance	253,459,864	22,218,087	275,677,951
Environmental Affairs			
Office of the Secretary	431,464	200,000	631,464
Department of Environmental Management	7,747,620	75,000	7,822,620
Department of Environmental Protection	28,673,316	-	28,673,316
Fish/Wildlife			
Environmental Law Enforcement	15,554,051	717,000	16,271,051
Metropolitan District Commission	18,018,763	473,506	18,492,269
Department of Food & Agriculture	5,831,675	-	5,831,675
Total, Environmental Affairs	76,256,889	1,465,506	77,722,395
Health and Human Services			
Office of the Secretary	169,361,640	-	169,361,640
Division of Medical Assistance	2,025,785,001	65,000,000	2,090,785,001
Division of Health Care Financing and Policy	11,521,278		11,521,278

Source	FY 1998 Unrestricted Non-Tax	FY 1998 Restricted Non-Tax	FY 1998 Total Non-Tax
Commission for the Blind	2,750,927	-	2,750,927
Rehabilitation Commission	20,000	-	20,000
Commission for the Deaf and Hard of Hearing	1,000	70,000	71,000
Office for Children	621,008	-	621,008
Chelsea Soldiers' Home	6,535,600	132,000	6,667,600
Holyoke Soldiers' Home	5,927,474	88,000	6,015,474
Department of Youth Services	73,636	-	73,636
Department of Transitional Assistance	351,859,780	32,500,000	384,359,780
Department of Public Health	9,440,210	101,433,149	110,873,359
Department of Social Services	190,751,830	26,000,000	216,751,830
Department of Mental Health	66,512,846	6,225,000	72,737,846
Department of Mental Retardation	309,711,101	-	309,711,101
Total, Health and Human Services	3,150,873,331	231,448,149	3,382,321,480
Transportation and Construction			
Office of the Secretary	467,243	27,345	494,588
Massachusetts Aeronautics Commission	275,000	-	275,000
Department of Public Works	7,223,000	-	7,223,000
Total, Transportation and Construction	7,965,243	27,345	7,992,588
Board of Library Commissioners	1,200	-	1,200
Labor, Education and Development			
Office of Director of Labor	902,500	-	902,500

Source	FY 1998 Unrestricted Non-Tax	FY 1998 Restricted Non-Tax	FY 1998 Total Non-Tax
Department of Industrial Accidents	22,126,424	-	22,126,424
Conciliation and Arbitration Board	72,000	-	72,000
Department of Workforce Development	31,340	-	31,340
Office of Communities and Development	2,907,091	494,714	3,401,805
Consumer Affairs and Business Regulation	2,000	-	2,000
Division of Banks	10,138,472	-	10,138,472
Division of Insurance	33,898,899	-	33,898,899
Division of Registration	13,066,265	-	13,066,265
Division of Standards	1,188,100	-	1,188,100
Department of Public Utilities	8,951,531	-	8,951,531
Energy Facilities Siting Commission	-	225,000	225,000
Alcohol Beverages Control Commission	1,507,788	-	1,507,788
State Racing Commission	2,262,000	-	2,262,000
Community Antenna Television Commission	2,086,169	-	2,086,169
Board of Medicine	2,365,137	-	2,365,137
Department of Economic Development	50,000	-	50,000
Division of Energy Resources	458,304	-	458,304
Department of Education	3,487,000	-	3,487,000
State and Community Colleges	48,115,637	247,100	48,362,737
University of Massachusetts	95,930,569	-	95,930,569
Total, Labor, Education and Development	249,547,226	966,814	250,514,040
Public Safety			
Office of the Secretary	3,375,676	10,000	3,385,676
Chief Medical Examiner	972	-	972

Source	FY 1998 Unrestricted Non-Tax	FY 1998 Restricted Non-Tax	FY 1998 Total Non-Tax
Criminal History Systems Board	630,000	-	630,000
Board of Building Regulations	200,000	40,000	240,000
Architectural Access Board	15,000	-	15,000
Department of Police	361,146	14,350,000	14,711,146
Criminal Justice Training Council	1,085,225	-	1,085,225
Department of Public Safety	8,640,713	-	8,640,713
Department of Fire Services	2,957,595	300,000	3,257,595
Registry of Motor Vehicles	317,052,276	5,800,000	322,852,276
Merit Rating Board	86,000	-	86,000
Military Division	77,541	185,000	262,541
Emergency Management Agency	743,698	-	743,698
Highway Safety Bureau	140,000	-	140,000
Department of Corrections	3,826,273	2,800,000	6,626,273
Total, Public Safety	339,192,115	23,485,000	362,677,115
Elder Affairs	323,175	3,000,000	3,323,175
Legislature	21,500	-	21,500
Total, Non-Tax Revenue	4,641,766,404	823,419,102	5,465,185,506

1 SECTION 2.

JUDICIARY.

Notwithstanding the provisions of section 1 to the contrary, except as otherwise provided, items 0320-0001 to 0339-2100 are charged as follows:

Local Aid Fund.....	90.0%
General Fund	10.0%

Supreme Judicial Court.

0320-0001	For the office of the chief justice and the six associate justices	786,569
0320-0003	For the operation of the supreme judicial court; provided, that \$46,500 shall be made available for the judicial youth corporation program, so-called; provided further, that the	

	supreme judicial court shall not charge the trial court for any assessments, services, educational training or costs of any kind; and provided further, that priority shall be given to automating all aspects of the commonwealth's judicial system	3,553,143
0320-0006	For the expenses of the futures lab task force project, so-called.....	200,000
0320-0010	For the operation of the clerk's office of the supreme judicial court for Suffolk county; provided, that said clerk for Suffolk county shall appoint a first assistant clerk pursuant to section 196.....	810,260
0321-0001	For operation of the commission on judicial conduct	260,737
0321-0100	For the services of the board of bar examiners; provided, that a report on the feasibility of raising fees for the bar exam shall be submitted to both the senate and house committees on ways and means and the secretary of administration and finance not later than February 2, 1998; provided further, that said report shall include, but not be limited to, a cost analysis for the administering of the bar exam, the number of applicants taking the bar exam and the feasibility of raising said fees in fiscal year 1999.....	804,246
<i>Committee for Public Counsel Services.</i>		
0321-1500	For the operation of the committee for public counsel services, as authorized by chapter 211D of the General Laws, including expenses for an audit and oversight unit; provided, that \$62,000 shall be expended on a pilot process server unit, so-called	6,321,055
0321-1502	For the compensation to public counsel assigned cases under the provisions of subsection (a) of section 6 of chapter 211D of the General Laws, pursuant to section 13 of said chapter 211D, including compensation to the chief counsel, deputy chief counsels and general counsel; provided, that \$661,000 shall be expended on investigators and social workers of the public defender division.....	7,108,221
0321-1503	For the continuation of a children and family law pilot program in Hampden and Essex counties pursuant to section 262	451,754
0321-1504	For the continuation of a youth advocacy program, so-called .	367,754
0321-1510	For the compensation to private counsel assigned to criminal cases under the provisions of subsection (b) of section 6 of chapter 211D of the General Laws, pursuant to section 12 of said chapter 211D; provided, that the amount appropriated herein shall be expended for services rendered in fiscal year 1998 only; provided further, that the chief counsel may transfer funds to item 0321-1512 as necessary, pursuant to schedules submitted to the house and senate committees on ways and means 30 days prior to any such transfer; provided further, that the rate of compensation for private counsel services for murder cases shall be \$54 per hour for in-court and out-of-court services; provided further, that the rate of compensation	

paid for services for superior court criminal cases, so-called, shall be \$39 per hour for in-court and out-of-court services; provided further, that the rate of compensation paid for services for other criminal cases, so-called, shall be \$30 per hour for in-court and out-of-court services

35,924,000

0321-1512

For the compensation to private counsel assigned to family law and mental health cases under the provisions of subsection (b) of section 6 of chapter 211D of the General Laws, pursuant to section 12 of said chapter 211D of the General Laws; provided, that the amount appropriated herein shall be expended for services rendered in fiscal year 1998 only; provided further, that the chief counsel may transfer funds to item 0321-1510 as necessary, pursuant to schedules submitted to the house and senate committees on ways and means 30 days prior to any such transfer; and provided further, that the rate of compensation for private counsel services provided for herein shall be, for cases under section 12S, of chapter 112 of the General Laws, section 39F of chapter 119 of the General Laws and section 9C of chapter 123A of the General Laws, \$30 per hour for in-court and out-of-court services; and provided further, that the rate of compensation paid for other non criminal cases, so-called, shall be \$39 per hour for in-court and out-of-court services.

17,021,000

0321-1520

For the fees and costs, as defined in section 27A of chapter 261 of the General Laws, as ordered by a justice of the appeals court or a justice of a department of the trial court of the commonwealth on behalf of indigent persons, as defined in said section 27A of said chapter 261; provided, that the amount appropriated herein shall only be expended for services rendered in fiscal year 1998

4,560,000

0321-1600

For the Massachusetts Legal Assistance Corporation to provide legal representation for indigent or otherwise disadvantaged residents of the commonwealth, including the disability benefits project, the Medicare advocacy project, the transitional SSI Assistance project, so-called, and the battered women's legal assistance project; provided, that the first paragraph of section 9 of chapter 221A of the General Laws shall not apply to said programs; provided further, that said corporation may contract with any organization for the purpose of providing such representation

3,089,680

0321-1610

For the Massachusetts Legal Assistance Corporation for the purpose of distributing funds for general operating costs of local and statewide civil legal services providers

3,800.000

0321-2000

For the operation of the mental health legal advisors committee and for certain programs for the indigent mentally ill, as provided in section 34E of chapter 221 of the General Laws

370,578

0321-2100

For the Massachusetts correctional legal services committee ..

526.782

0321-2205	For the expenses of the social law library located in Suffolk county; provided, that not less than \$192,000 shall be made available for computerized legal research	1,280,800
0321-2206	For the social law library to operate the electronic law database project	275,000
<i>Appeals Court.</i>		
0322-0100	For the appeals court, including the salaries, traveling allowances and expenses of the chief justice and the thirteen associate justices and the expenses of the conference program, so-called	5,149,975
<i>Trial Court.</i>		
0330-0101	For the salaries of the justices of the superior court department of the trial court; provided, that the chief justice for administration and management shall provide written notification to the house and senate committees on ways and means of any transfers of funds from this item to any other item of appropriation within 30 days of such transfer	7,378,844
0330-0102	For the salaries of the justices of the district court department; provided, that the chief justice for administration and management shall provide written notification to the house and senate committees on ways and means of any transfers of funds from this item to any other item of appropriation within 30 days of such transfer	16,290,956
0330-0103	For the salaries of the justices of the probate and family court department of the trial court; provided, that the chief justice for administration and management shall provide written notification to the house and senate committees on ways and means of any transfers of funds from this item to any other item of appropriation within 30 days of such transfer	4,184,133
0330-0104	For the salaries of the justices of the land court department of the trial court; provided, that the chief justice for administration and management shall provide written notification to the house and senate committees on ways and means of any transfers of funds from this item to any other item of appropriation within 30 days of such transfer	389,638
0330-0105	For the salaries of the justices of the Boston municipal court; provided, that the chief justice for administration and management shall provide written notification to the house and senate committees on ways and means of any transfers of funds from this item to any other item of appropriation within 30 days of such transfer	1,085,148
0330-0106	For the salaries of the justices of the housing court department of the trial court; provided, that the chief justice for administration and management shall provide written notification to the house and senate committees on ways and means of any transfers of funds from this item to any other item of appropriation within 30 days of such transfer	580,463

0330-0107	For the salaries of the justices of the juvenile court department of the trial court; provided, that the chief justice for administration and management shall provide written notification to the house and senate committees on ways and means of any transfers of funds from this item to any other item of appropriation within 30 days of such transfer	3,198,979
0330-0300	For the administration of the office of the chief justice for administration and management, including the salary of said chief justice for administration and management; provided, that the supreme judicial court shall not charge the trial court for any assessments, services, education, training or costs of any kind	5,769,130
0330-0301	For the salary and expenses of the executive director and staff of the trial court office of community corrections; provided, that not more than \$50,000 shall be expended for a study to establish for offenders convicted of repeat drunk driving offenses an intermediate sanction secure residential facility that shall provide rehabilitative treatment and an aftercare monitoring program	106,521
0330-0315	For the operation of the Suffolk county courts' community service program, so-called, to be supervised by the chief justice for administration and management	209,069
0330-0317	For the operation and expenses of the Massachusetts sentencing commission, pursuant to subsection (a) of section 1 of chapter 432 of the acts of 1993	240,464
0330-0400	For the nonemployee services performed by private individuals and contracted services performed by agencies for the individual court divisions of the trial court to be expended as determined by the chief justice for administration and management; provided, that contracting for nonemployee assigned interpretive services and contracting with agencies or providers for assigned interpretive services shall not give rise to enforceable legal rights in any party or an enforceable entitlement to interpretive services; provided further, that interpretive services shall be provided by interpreters who have a place of business in the county or within 20 miles of the county where the subject court is located and a permanent court interpreter program shall be established within the counties of Hampden, Hampshire, Berkshire and Franklin with the goal of ensuring that interpretive services be provided by interpreters who have a place of business in said counties; provided further, that nothing stated herein shall be construed as giving rise to such enforceable legal rights or such enforceable entitlement; provided further, that in contracting for services to provide interpreters to persons who are deaf or hard of hearing, the trial court shall maximize the use of interpreter services provided by the Massachusetts commission for the deaf and hard of hearing whenever possible; provided further, that not less than \$100,000 shall be expended for the training of personnel and the implementation of a changing lives through literature program, so-called; provided further, that not less than \$100,000 shall	

be provided for a contract with Massachusetts General Hospital for a research program on abused children; provided further, that \$146,688 shall be expended for the purpose of providing a community services for women program in the district court of Southern Essex; and provided further, that not less than \$85,000 shall be expended for a partnership between the administrative office of the trial court and the University of Massachusetts for the development and implementation of a plan to increase the number of qualified, certified foreign language interpreters available for court interpretation services

16,934,792

0330-0410	For alternative dispute resolution services for the trial court; provided, that such services shall be made available to the extent possible in connection with child care, protection and custody proceedings in juvenile and probate courts; provided further, that not less than \$35,000 shall be expended for Framingham mediation services; provided further, that the chief justice for administration and management is hereby directed to submit a report on alternative dispute resolution services to the senate and house committees on ways and means not later than February 2, 1998; and provided further, that such report shall include, but not be limited to, cost-benefit analysis of providing such services and the impact of such services on the courts' caseload.....	85,000
0330-0420	For a substance abuse training program	50,000
0330-0600	For dental and optical health plan trust agreements	2,453,091
0330-1000	For trial court jury expenses	3,188,868
0330-2000	For the trial court law libraries; provided, that the chief justice for administration and management shall collaborate with the Massachusetts Bar Association, the Boston Bar Association, and law schools in the commonwealth in developing a voluntary library assistance program.....	1,841,243
0330-2002	For the maintenance, purchase and binding of trial court law library materials	1,977,854
0330-2003	Notwithstanding any general or special law to the contrary, the chief justice for administration and management is hereby authorized to establish and collect fees for attorneys who use the trial court law libraries; provided, that such fees shall be deposited in this item and shall be structured so as not to exceed, in the aggregate, \$1,000,000; and provided further, that funds from this item may be expended for any costs associated with the law libraries ...	1,000,000
0330-2010	For the costs associated with computerized legal research.....	248,294
0330-2020	For centralized law book purchases	434,956
0330-2200	For the rental of county court facilities, in accordance with section 4 of chapter 29A of the General Laws; provided, that all payments made hereunder shall be made pursuant to written agreements; provided further, that quarterly payments shall be made to counties equal to an amount which shall be at least 90 per cent of the amount owed	

each quarter to such county in the preceding fiscal year, subject to reconciliation based on accurate cost data in the fourth quarter or in the succeeding fiscal year; provided further, that payments made to any county which fails to submit required cost data by the beginning of the third quarter of the fiscal year shall be withheld until such data is submitted to the chief justice for administration and management and approved as accurate; provided further, that said cost data shall be filed with the house and senate committees on ways and means; provided further, that every county receiving such payments shall maintain such funds in a separate account which shall be used solely for the maintenance of the rented facilities; provided further, that each county advisory board, upon receipt of the proposed budget by the county commissioners, shall have final approval of all expenditures under this item; and provided further, that no funds from this account shall be expended on trial court telecommunications costs or rental of private or municipal court facilities

14,382,074

Local Aid Fund 100.0%

0330-2201 For the purchase, maintenance and lease of statewide telecommunications for the trial court; provided, that not less than \$255,000 shall be expended for data lines for the warrant management system

2,948,704

0330-2202 For the payment of private and municipal court leases

9,591,549

0330-2205 For the costs associated with maintaining and operating courthouse facilities owned by the commonwealth

13,492,962

0330-2300 For the costs of witness fees

575,073

0330-2410 For the operation of the judicial training institute; provided, that not less than \$100,000 shall be expended for the training of court personnel on domestic violence issues

335,531

0330-2600 For the travel expenses of judicial personnel; provided, that the chief justice for administration and management shall promulgate rules and regulations governing the selection of justices for travel outside of the commonwealth for the purpose of judicial training; and provided further, that such rules and regulations shall give first priority to newly appointed justices for such training

1,078,106

0330-2700 For trial court printing expenses; provided, that the trial court shall maximize to the extent possible the use of recycled paper and soy-based ink products for any document printing and purchasing

1,525,485

0330-2800 For the cost of equipment maintenance and repairs

2,720,637

0330-3000 For equipment purchases and rentals; provided, that such purchases and rentals may be allocated by the chief justice for administration and management; provided further, that in purchasing such equipment, the chief justice for administration and management shall utilize vendors approved by the state purchasing agent for such equipment whenever the terms offered by such vendor are more favorable than those otherwise available

520,361

0330-3200	For the court security program, including personnel and expenses; provided, that any court officer scheduled to work 1,950 hours or more, in fiscal year 1997 shall be considered a full-time court officer for fiscal year 1998; and provided further, that all other per diem court officers shall be paid the daily rate in accordance with collective bargaining agreements.....	24,027,090
0330-3300	For the payment of office, administrative and special expenses of the trial court, to be allocated by the chief justice for administration and management	594,032
0330-3700	For the court interpreters program; provided, that the chief justice for administration and management shall establish and direct a policy for the scheduling of court sessions in all court departments to cost-effectively utilize court language interpreters; provided further, that not less than \$90,000 shall be expended for a court interpreter pilot program in the superior court located in the city of Fall River and said court shall provide one court interpreter, one clerical support position and office space, if available, for said program; and provided further, that two additional portuguese interpreters who shall serve in the New Bedford District Court, shall be funded from this item in fiscal year 1998.....	374,358
0330-4303	For the chargeback costs of unemployment compensation, medicare tax, workers' compensation, universal health, and group insurance assessed against the employees and justices of the trial court	5,060,429
<i>Superior Court Department.</i>		
0331-0100	For the administrative office of the superior court department; provided, that not more than \$75,000 shall be expended for judicial education, including the semi-annual conferences, racial and gender bias orientation programs and judicial induction ceremonies.....	5,144,338
0331-0300	For medical malpractice tribunals established in accordance with the provisions of section 60B of chapter 231 of the General Laws	76,000
0331-0600	For the superior court probation services	8,576,142
0331-2100	For the Barnstable superior court; provided, that notwithstanding the provisions of any general or special law to the contrary, the first justice shall be the administrative head of the court and shall have the powers enumerated in section 10A of chapter 211B of the General Laws; provided further, that as administrative head, said first justice shall be responsible for the management of the courthouse and shall have authority over all personnel employed by the superior court department; and provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping	446,063
0331-2200	For the Berkshire superior court; provided, that notwithstanding the provisions of any general or special law to	

	the contrary, the first justice shall be the administrative head of the court and shall have the powers enumerated in section 10A of chapter 211B of the General Laws; provided further, that as administrative head, said first justice shall be responsible for the management of the courthouse and shall have authority over all personnel employed by the superior court department; and provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping	264,427
0331-2300	For the Bristol superior court; provided, that notwithstanding the provisions of any general or special law to the contrary, the first justice shall be the administrative head of the court and shall have the powers enumerated in section 10A of chapter 211B of the General Laws; provided further, that as administrative head, said first justice shall be responsible for the management of the courthouse and shall have authority over all personnel employed by the superior court department; and provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping	1,134,496
0331-2400	For the Dukes superior court; provided, that notwithstanding the provisions of any general or special law to the contrary, the first justice shall be the administrative head of the court and shall have the powers enumerated in section 10A of chapter 211B of the General Laws; provided further, that as administrative head, said first justice shall be responsible for the management of the courthouse and shall have authority over all personnel employed by the superior court department; provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping; and provided further, that one additional first assistant clerk and one additional procedures clerk I shall be appointed and funded from this item in fiscal year 1998	198,314
0331-2500	For the Essex superior court; provided, that notwithstanding the provisions of any general or special law to the contrary, the first justice shall be the administrative head of the court and shall have the powers enumerated in section 10A of chapter 211B of the General Laws; provided further, that as administrative head, said first justice shall be responsible for the management of the courthouse and shall have authority over all personnel employed by the superior court department; and provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping	1,630,680
0331-2600	For the Franklin superior court; provided, that notwithstanding the provisions of any general or special law to the contrary, the first justice shall be the administrative head of the court and shall have the powers enumerated in section 10A of chapter 211B of the General Laws; pro-	

vided further, that as administrative head, said first justice shall be responsible for the management of the courthouse and shall have authority over all personnel employed by the superior court department; provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping; and provided further, that one additional head procedures clerk and one additional administrative assistant shall be funded from this item in fiscal year 1998

314,084

0331-2700 For the Hampden superior court; provided, that notwithstanding the provisions of any general or special law to the contrary, the first justice shall be the administrative head of the court and shall have the powers enumerated in section 10A of chapter 211B of the General Laws; provided further, that as administrative head, said first justice shall be responsible for the management of the courthouse and shall have authority over all personnel employed by the superior court department; and provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping

1,408,959

0331-2800 For the Hampshire superior court; provided, that notwithstanding the provisions of any general or special law to the contrary, the first justice shall be the administrative head of the court and shall have the powers enumerated in section 10A of chapter 211B of the General Laws; provided further, that as administrative head, said first justice shall be responsible for the management of the courthouse and shall have authority over all personnel employed by the superior court department; and provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping

358,086

0331-2900 For the Middlesex superior court; provided, that notwithstanding the provisions of any general or special law to the contrary, the first justice shall be the administrative head of the court and shall have the powers enumerated in section 10A of chapter 211B of the General Laws; provided further, that as administrative head, said first justice shall be responsible for the management of the courthouse and shall have authority over all personnel employed by the superior court department; provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping; and provided further, that four additional assistant clerks shall be appointed and funded from this item in fiscal year 1998

3,807,047

0331-3000 For the Nantucket superior court; provided, that notwithstanding the provisions of any general or special law to the contrary, the first justice shall be the administrative head of the court and shall have the powers enumerated in section 10A of chapter 211B of the General Laws; provided further, that as administrative head, said first justice shall be responsible for the management of the courthouse

and shall have authority over all personnel employed by the superior court department; and provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping

121,301

0331-3100 For the Norfolk superior court; provided, that notwithstanding the provisions of any general or special law to the contrary, the first justice shall be the administrative head of the court and shall have the powers enumerated in section 10A of chapter 211B of the General Laws; provided further, that as administrative head, said first justice shall be responsible for the management of the courthouse and shall have authority over all personnel employed by the superior court department; and provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping

1,171,059

0331-3200 For the Plymouth superior court; provided, that notwithstanding the provisions of any general or special law to the contrary, the first justice shall be the administrative head of the court and shall have the powers enumerated in section 10A of chapter 211B of the General Laws; provided further, that as administrative head, said first justice shall be responsible for the management of the courthouse and shall have authority over all personnel employed by the superior court department; and provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping

1,238,496

0331-3300 For the Suffolk superior civil court; provided, that notwithstanding the provisions of any general or special law to the contrary, the first justice shall be the administrative head of the court and shall have the powers enumerated in section 10A of chapter 211B of the General Laws; provided further, that as administrative head, said first justice shall be responsible for the management of the courthouse and shall have authority over all personnel employed by the superior court department; and provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping

3,364,607

0331-3400 For the Suffolk superior criminal court; provided, that notwithstanding the provisions of any general or special law to the contrary, the first justice shall be the administrative head of the court and shall have the powers enumerated in section 10A of chapter 211B of the General Laws; provided further, that as administrative head, said first justice shall be responsible for the management of the courthouse and shall have authority over all personnel employed by the superior court department; provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping; provided further, that not less than \$65,000 shall be expended on said

	clerk's duties as clerk of the appellate division of the superior court; and provided further, that not less than \$46,000 shall be expended for the purpose of holding the unified session for sexually dangerous persons, pursuant to section 9 of chapter 123A of the General Laws	2,061,459
0331-3404	For an education and community outreach pilot program to be administered in the Suffolk superior criminal court	150,000
0331-3500	For the Worcester superior court; provided, that notwithstanding the provisions of any general or special law to the contrary, the first justice shall be the administrative head of the court and shall have the powers enumerated in section 10A of chapter 211B of the General Laws; provided further, that as administrative head, said first justice shall be responsible for the management of the courthouse and shall have authority over all personnel employed by the superior court department; and provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping	1,453,653
<i>District Court Department.</i>		
0332-0100	For the administrative office of the district court department, including a civil conciliation program	1,423,552
0332-1100	For the first district court of Barnstable	1,852,080
0332-1200	For the second district court of Barnstable at Orleans	1,002,977
0332-1203	For the third district court of Barnstable at Falmouth; provided, that two additional procedures clerk II positions and one additional head administrative assistant shall be funded from this item in fiscal year 1998	955,433
0332-1300	For the district court of northern Berkshire at Adams, North Adams and Williamstown	672,952
0332-1400	For the district court of central Berkshire at Pittsfield; provided, that one additional administrative secretary, one additional procedures clerk I and one additional procedures clerk II shall be funded from this item in fiscal year 1998	1,159,206
0332-1500	For the district court of southern Berkshire at Great Barrington and Lee.....	439,434
0332-1600	For the first district court of Bristol at Taunton; provided, that two additional assistant clerks, two additional probation officers, three additional procedures clerk II positions, one additional administrative assistant II and three additional procedures clerk I positions shall be appointed and funded from this item in fiscal year 1998.....	1,876,777
0332-1700	For the second district court of Bristol at Fall River	2,453,170
0332-1800	For the third district court of Bristol at New Bedford; provided, that three additional procedures clerk I positions shall be funded from this item in fiscal year 1998.....	2,433,105

0332-1900	For the fourth district court of Bristol at Attleboro; provided, that one additional assistant clerk shall be appointed and funded from this item in fiscal year 1998	1,087,368
0332-2000	For the district court of Edgartown	349,392
0332-2100	For the first district court of Essex at Salem; provided, that two additional assistant clerks shall be appointed and funded from this item in fiscal year 1998	1,904,729
0332-2300	For the third district court of Essex at Ipswich.....	262,545
0332-2400	For the central district court of northern Essex at Haverhill; provided, that two additional probation officers, one additional secretary I and two additional assistant clerks shall be appointed and funded from this item in fiscal year 1998	1,867,626
0332-2500	For the district court of eastern Essex at Gloucester	881,880
0332-2600	For the district court of Lawrence; provided, that \$90,000 shall be expended for a "drug treatment on demand" drug offender program, so-called	2,803,673
0332-2700	For the district court of southern Essex at Lynn	2,547,981
0332-2800	For the district court of Newburyport; provided, that two additional probation officers, one additional sessions clerk and one additional procedures clerk I position shall be funded from this item in fiscal year 1998.....	1,261,876
0332-2900	For the district court of Peabody	1,221,001
0332-3000	For the district court of Greenfield; provided, that one additional assistant clerk shall be appointed and funded from this item in fiscal year 1998	1,109,384
0332-3100	For the district court of Orange; provided, that one additional probation officer and one additional procedures clerk I position shall be funded from this item in fiscal year 1998	465,489
0332-3200	For the district court of Chicopee	907,554
0332-3300	For the district court of Holyoke.....	914,278
0332-3400	For the district court of eastern Hampden at Palmer	703,077
0332-3500	For the district court of Springfield.....	3,989,801
0332-3600	For the district court of western Hampden at Westfield; provided, that one additional security guard shall be funded from this item in fiscal year 1998.....	817,593
0332-3700	For the district court of Hampshire at Northampton; provided, that of the amount appropriated herein, \$150,000 shall be expended for an alternative probation program "Honor Court", so-called	1,777,739
0332-3800	For the district court of eastern Hampshire at Ware	552,685
0332-3900	For the district court of Lowell; provided, that three additional probation officers and two additional assistant clerks shall be appointed and funded from this item in fiscal year 1998	3,553,104

0332-4000	For the district court of Somerville; provided, that one additional special assistant clerk, so-called, one additional assistant clerk, one additional administrative assistant and three additional procedures clerk I positions shall be appointed and funded from this item in fiscal year 1998; and provided further, that said procedures clerk I's position shall not be subject to the provisions of paragraphs (a) and (b) of clause (xxiii) of the third paragraph of section 9 of chapter 211B of the General Laws.....	2,498,364
0332-4100	For the district court of Newton	967,365
0332-4200	For the district court of Marlborough	1,070,482
0332-4300	For the district court of Natick	858,361
0332-4400	For the first district court of eastern Middlesex at Malden	2,097,269
0332-4500	For the second district court of eastern Middlesex at Waltham	1,532,702
0332-4600	For the third district court of eastern Middlesex at Cambridge	3,465,399
0332-4700	For the fourth district court of eastern Middlesex at Woburn ..	2,075,861
0332-4800	For the first district court of northern Middlesex at Ayer	1,239,016
0332-4900	For the first district court of southern Middlesex at Framingham	2,060,149
0332-5000	For the district court of central Middlesex at Concord	1,273,882
0332-5100	For the district court of Nantucket	208,376
0332-5200	For the district court of northern Norfolk at Dedham	2,061,118
0332-5300	For the district court of East Norfolk at Quincy; provided, that one additional assistant clerk shall be appointed and funded from this item in fiscal year 1998; and provided further, that one probation officer, currently serving in the second district court of southern Worcester but assigned to the eastern district court of East Norfolk, shall be re-assigned to the second district court of southern Worcester at Uxbridge, so-called	4,326,799
0332-5400	For the district court of western Norfolk at Wrentham	1,308,800
0332-5500	For the district court of southern Norfolk at Stoughton; provided, that one additional administrative assistant, and two additional sessions clerk positions shall be funded from this item in fiscal year 1998; and provided further, that funds from this item shall include the costs associated with the transfer of one probation officer from the Brockton district court in item 0332-5700 to this item in fiscal year 1998	1,690,367
0332-5600	For the municipal court of Brookline	867,953
0332-5700	For the district court of Brockton; provided, that one additional assistant clerk shall be appointed and funded from this item in fiscal year 1998	3,001,079
0332-5800	For the second district court of Plymouth at Hingham	1,630,967
0332-5900	For the third district court of Plymouth at Plymouth.....	1,757,495

0332-6000	For the fourth district court of Plymouth at Wareham.....	1,498,324
0332-6100	For the municipal court of the Brighton district; provided, that one court officer assigned to said court shall be designated by the chief justice for administration and management as the chief court officer	1,247,314
0332-6200	For the municipal court of the Charlestown district	927,373
0332-6300	For the district court of Chelsea	1,965,969
0332-6400	For the municipal court of the Dorchester district; provided, that one additional assistant clerk shall be appointed and funded from this item in fiscal year 1998	4,391,785
0332-6500	For the East Boston district court.....	1,567,987
0332-6600	For the municipal court of the Roxbury district	3,945,540
0332-6700	For the municipal court of the South Boston district.....	1,042,433
0332-6800	For the municipal court of the West Roxbury district	2,025,058
0332-6900	For the central district court of Worcester	3,775,309
0332-7000	For the district court of Fitchburg; provided, that two additional assistant clerks shall be appointed and funded from this item in fiscal year 1998	1,229,425
0332-7100	For the district court of Leominster	744,182
0332-7200	For the district court at Winchendon	170,980
0332-7300	For the first district court of northern Worcester at Gardner	924,462
0332-7400	For the first district court of eastern Worcester at Westborough ..	981,636
0332-7500	For the second district court of eastern Worcester at Clinton ..	571,707
0332-7600	For the first district court of southern Worcester at Dudley; provided, that one additional probation officer and two additional procedures clerk I positions shall be funded from this item in fiscal year 1998.....	1,141,926
0332-7700	For the second district court of southern Worcester at Uxbridge; provided, that one additional administrative assistant, one additional probation officer and one additional court officer shall be funded from this item in fiscal year 1998; and provided further, that one probation officer position referred to in item 0332-5300 shall be assigned to and funded from this item	739,473
0332-7800	For the third district court of southern Worcester at Milford; provided, that one additional courtroom procedures clerk, one additional procedures clerk II and one additional court officer shall be funded from this item in fiscal year 1998	985,298
0332-7900	For the district court of western Worcester at East Brookfield ..	781,354
0332-8000	For the development of an early intervention project for substance abusers at the Cambridge division of the district court department; provided, that such project shall be administered by a seven member executive board consisting of the first justice of the Cambridge court or his	

designee, the clerk of the Cambridge court or his designee, the chief probation officer of the Cambridge court or his designee, the Middlesex county district attorney or his designee, the city manager of the city of Cambridge or his designee, the chief administrative justice of the trial court or his designee and one person to be appointed by the governor; and provided further, that the employment conditions of the project director and the allocation of project funds shall be determined by the executive board

53,700

Probate and Family Court Department.

0333-0002	For the administrative office of the probate and family court department; provided, that not less than \$48,000 shall be expended for a case manager who shall report directly to the chief justice of the probate and family court department; provided further, that such case manager shall assist said chief justice with the management of petitions to dispense with parental consent to adoption pursuant to section 3 of chapter 210 of the General Laws by coordinating department of social services and probate court actions related to such cases; provided further, that such case manager's duties shall include coordinating conferences and trials and monitoring paperwork and appointments with parties' counsel; and provided further, that such case manager shall meet monthly with the department of social services and shall report quarterly to the house and senate committees on ways and means on the backlog of such cases in the probate court and the parties' progress made in such backlog each month	1,053,244
0333-0100	For the Barnstable probate court; provided, that one additional assistant register shall be appointed and funded from this item in fiscal year 1998.....	1,112,004
0333-0150	For the operation of a child and parents program in the Barnstable probate court; provided, that this item shall not be subject to paragraphs (a) and (b) of clause (xxiii) of the third paragraph of section 9 of chapter 211B of the General Laws	40,000
0333-0200	For the Berkshire probate court	625,313
0333-0300	For the Bristol probate court; provided, that one additional assistant register and one additional administrative secretary shall be appointed and funded from this item in fiscal year 1998.....	1,915,028
0333-0400	For the Dukes county probate court	176,015
0333-0500	For the Essex probate court; provided, that two additional probation officers shall be funded from this item in fiscal year 1998.....	2,210,819
0333-0600	For the Franklin probate court; provided, that one additional procedures clerk I and one additional probation officer shall be funded from this item in fiscal year 1998.....	594,744
0333-0700	For the Hampden probate court.....	2,248,836

0333-0711	For the Hampden probate court family services clinic	47,264
0333-0800	For the Hampshire probate court.....	785,293
0333-0900	For the Middlesex probate court; provided, that two additional head administrative assistants, two additional administrative secretary positions and three additional procedures clerk I positions shall be funded from this item in fiscal year 1998	4,010,033
0333-0911	For the Middlesex probate court family services clinic	244,041
0333-1000	For the Nantucket probate court	143,096
0333-1100	For the Norfolk probate court	2,666,411
0333-1111	For the Norfolk probate court family services clinic	146,472
0333-1200	For the Plymouth probate court	1,970,304
0333-1300	For the Suffolk probate court	3,185,239
0333-1313	For the Suffolk probate community access program of community outreach and education; provided that, said program shall be targeted at low income persons who experience educational and language barriers to court access; and provided further, that said program shall be administered by the register of probate for Suffolk county.	150,000
0333-1400	For the Worcester probate court	2,128,901
<i>Land Court Department.</i>		
0334-0001	For the operation of the land court	2,545,266
<i>Boston Municipal Court Department.</i>		
0335-0001	For the operation of the Boston municipal court	7,591,821
<i>Housing Court Department.</i>		
0336-0002	For the administrative office of the housing court department; provided, that any division of the housing court department, as defined in section 4 of chapter 185C of the General Laws, shall hold its sittings in the facilities of the district court of central Berkshire county in the city of Pittsfield not less than once per month; and provided further, that such sitting shall be held by an associate justice of the trial court appointed to a division of the housing court department	128,160
0336-0100	For the Boston housing court	956,591
0336-0200	For the Hampden housing court	501,069
0336-0300	For the Worcester housing court	468,754
0336-0400	For the Southeastern housing court	654,834
0336-0500	For the Northeastern housing court	423,276
<i>Juvenile Court Department.</i>		
0337-0002	For the administrative office of the juvenile court department	562,586

0337-0100	For the Boston juvenile courts; provided, that personnel and expenses associated with the expansion of the juvenile courts in Suffolk county shall be funded from this item in fiscal year 1998	5,424,307
0337-0200	For the Bristol juvenile courts; provided, that six additional procedures clerk II positions, and one additional procedures clerk I position shall be funded from this item in fiscal year 1998	2,152,027
0337-0300	For the Springfield juvenile courts; provided, that personnel and expenses associated with the expansion of the juvenile courts in Hampden county shall be funded from this item in fiscal year 1998; and provided further, that \$50,000 shall be expended for the CASA program, so-called, in the Springfield juvenile court	2,385,746
0337-0400	For the Worcester juvenile courts; provided, that personnel and expenses associated with the expansion of the juvenile courts in Worcester county shall be funded from this item in fiscal year 1998; and provided further, that \$50,000 shall be expended for the CASA program, so-called, in the Worcester juvenile court	3,217,959
0337-0500	For the Barnstable county, town of Plymouth juvenile courts; provided, that personnel and expenses associated with the expansion of the juvenile courts in Barnstable, Nantucket and Dukes county shall be funded from this item in fiscal year 1998; and provided further, that one additional assistant clerk shall be appointed and funded from this item in fiscal year 1998	1,562,704
0337-0600	For Essex juvenile courts; provided, that personnel and expenses associated with the expansion of the juvenile courts in Essex county shall be funded from this item in fiscal year 1998; and provided further, that \$50,000 shall be expended on the CASA program, so-called, in the Lawrence district court	2,197,622
0337-0700	For Franklin, Hampshire juvenile courts; provided, that personnel and expenses associated with the expansion of the juvenile courts in Franklin, Hampshire county shall be funded from this item in fiscal year 1998; and provided further, that \$80,000 shall be expended for the Franklin, Hampshire CASA program, so-called, including Northampton, Greenfield, Orange and Ware district courts	849,853
0337-0802	For Norfolk juvenile courts; provided, that personnel and expenses associated with the expansion of the juvenile courts in Norfolk county shall be funded from this item in fiscal year 1998; and provided further, that one additional assistant clerk shall be appointed and funded from this item in fiscal year 1998	1,636,710
0337-0900	For Plymouth juvenile courts; provided, that personnel and expenses associated with the expansion of the juvenile courts in Plymouth county shall be funded from this item in fiscal year 1998; and provided further, that \$50,000 shall be expended for the CASA program, so-called, in the Plymouth county juvenile court	1,180,536

0337-1101	For Middlesex juvenile courts; provided, that personnel and expenses associated with the expansion of the juvenile courts in Middlesex county shall be funded from this item in fiscal year 1998.....	3,776,081
0337-1102	For Berkshire juvenile courts; provided, that personnel and expenses associated with the expansion of the juvenile courts in Berkshire county shall be funded from this item in fiscal year 1998.....	1,029,358
<i>Office of the Commissioner of Probation.</i>		
0339-1001	For the office of the commissioner of probation; provided, that three additional probation officers in the New Bedford district court shall be funded from this item in fiscal year 1998.....	3,354,067
<i>Office of the Jury Commissioner.</i>		
0339-2100	For the office of the jury commissioner, in accordance with chapter 234A of the General Laws	2,440,783

DISTRICT ATTORNEYS.

Suffolk District Attorney.

0340-0100	For the Suffolk district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that not less than \$125,000 shall be expended for a safe neighborhood initiative, so-called, in Suffolk county; provided further, that not less than \$278,713 shall be expended for a community-based juvenile justice prosecution program to be administered and operated in the city of Boston and in Suffolk county for priority prosecution of serious juvenile offenders and for intervention through coordination and cooperation with local law enforcement agencies, schools, probation and court representatives and, where appropriate, the department of social services, department of youth services and department of mental health, pursuant to section 652 of chapter 151 of the acts of 1996.....	12,550,715
	Local Aid Fund 93.0%	
	Victim and Witness Assistance Fund 7.0%	

Northern District Attorney.

0340-0200	For the Northern district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that not less than \$341,815 shall be expended for a community-based juvenile justice prosecution program to be administered and operated in Middlesex county in cities which shall include, but not be limited to, Lowell, Malden, Everett, Somerville, Medford, Cambridge and Woburn for priority prosecution of serious juvenile offenders and for intervention through coordination and cooperation with local law enforcement agencies,	
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schools, probation and court representatives and where appropriate, the department of social services, department of youth services and department of mental health, pursuant to section 652 of chapter 151 of the acts of 1996

9,188,162

Local Aid Fund 89.0%

Victim and Witness

Assistance Fund 11.0%

Eastern District Attorney.

0340-0300

For the Eastern district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that not less than \$156,670 shall be expended for a community-based juvenile justice prosecution program to be administered and operated in the cities of Lawrence and Lynn for priority prosecution of serious juvenile offenders and for intervention through coordination and cooperation with local law enforcement agencies, schools, probation and court representatives and, where appropriate, the department of social services, department of youth services and department of mental health, pursuant to section 652 of chapter 151 of the acts of 1996.

6,000,186

Local Aid Fund 89.0%

Victim and Witness

Assistance Fund 11.0%

Middle District Attorney.

0340-0400

For the Middle district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that not less than \$126,000 shall be used for an anti-gang unit, so-called; and provided further, that \$210,000 shall be expended for the costs associated with six-person jury sessions

6,459,323

Local Aid Fund 92.0%

Victim and Witness

Assistance Fund 8.0%

Western District Attorney.

0340-0500

For the Western district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that not less than \$268,500 be used for a specialized homicide trial unit; provided further, that not less than \$156,421 shall be expended for a community-based juvenile justice prosecution program to be administered and operated in the cities of Holyoke and Springfield for priority prosecution of serious juvenile offenders and for intervention through coordination and cooperation with local law enforcement agencies, schools, probation and court representatives and, where appropriate, the department of social services, department of youth services and department of mental health, pursuant to section 652 of chapter 151 of the acts of 1996; provided further, that not less than \$400,000 shall be expended for

the continued implementation and operation of the “Hampden county anti-gang project”, so-called, a comprehensive organized and strategic effort of prosecution and law enforcement officials to identify, contain and prevent the existence, operation and mobility of gangs and gang activity and to prosecute the same; and provided further, that the district attorney for Hampden county shall administer and direct said project in consultation with the chiefs of police of each city and town within Hampden county, the state police, the sheriff of Hampden county and all appropriate federal law enforcement authorities 5,621,432

Local Aid Fund 87.0%

Victim and Witness Assistance Fund..... 13.0%

Northwestern District Attorney.

0340-0600 For the Northwestern district attorney’s office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; and provided, that not less than \$100,000 shall be expended for the salaries and expenses of a children’s advocacy project, so-called..... 3,422,212

Local Aid Fund 86.0%

Victim and Witness Assistance Fund 14.0%

Norfolk District Attorney.

0340-0700 For the Norfolk district attorney’s office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, and the domestic violence unit 5,813,841

Local Aid Fund 89.0%

Victim and Witness Assistance Fund 11.0%

Plymouth District Attorney.

0340-0800 For the Plymouth district attorney’s office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; and provided further, that not less than \$90,437 shall be expended for a community-based juvenile justice prosecution program to be administered and operated in the city of Brockton for priority prosecution of serious juvenile offenders and for intervention through coordination and cooperation with local law enforcement agencies, schools, probation and court representatives and, where appropriate, the department of social services, department of youth services and department of mental health, pursuant to section 652 of chapter 151 of the acts of 1996..... 5,193,072

Local Aid Fund 88.0%

Victim and Witness Assistance Fund 12.0%

Bristol District Attorney.

0340-0900	For the Bristol district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that not less than \$50,000 shall be expended to study the potential impact on the criminal justice system in Bristol county of the proposed Wampanoag entertainment center	5,235,922
	Local Aid Fund 87.0%	
	Victim and Witness Assistance Fund 13.0%	

Cape and Islands District Attorney.

0340-1000	For the Cape and Islands district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that not less than \$90,245 shall be expended for a community-based juvenile justice prosecution program to be administered and operated in Barnstable county for the priority prosecution of serious juvenile offenders and for intervention through coordination and cooperation with local law enforcement agencies, schools, probation and court representatives and, where appropriate, the department of social services, department of youth services and department of mental health, pursuant to section 652 of chapter 151 of the acts of 1996	2,496,955
	Local Aid Fund 87.0%	
	Victim and Witness Assistance Fund..... 13.0%	

Berkshire District Attorney.

0340-1100	For the Berkshire district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that not less than \$68,386 shall be expended for a community-based juvenile justice prosecution program to be administered and operated in the county of Berkshire for priority prosecution of serious juvenile offenders and intervention through coordination and cooperation with local law enforcement agencies, schools, probation and court representatives and, where appropriate, the department of social services, department of youth services and department of mental health, pursuant to section 652 of chapter 151 of the acts of 1996	2,321,639
	Local Aid Fund 80.0%	
	Victim and Witness Assistance Fund 20.0%	

District Attorneys Association.

0340-2100	For the operation and expense of the Massachusetts District Attorneys Association	557,100
	Local Aid Fund 100.0%	

EXECUTIVE.

0411-1000	For the offices of the governor, lieutenant governor and the governor's council pursuant to chapter 6 of the General Laws and for the salaries and expenses of the administrative office pursuant to said chapter 6 of the General Laws; provided, that the amount appropriated herein may be used for the payment of extraordinary expenses not otherwise provided for and for transfer to appropriation accounts where the amounts otherwise available may be insufficient	5,055,838
0411-1010	For the governor's commission on mental retardation	201,793

SECRETARY OF STATE.

State Appropriations

0511-0000	For the operation of the office of the state secretary; provided that, \$125,000 shall be expended for the costs of complying with the provisions of chapter 281 of the acts of 1995	6,037,066
0511-0001	The state secretary is hereby authorized to expend revenues not to exceed \$30,000, from the sale of merchandise at the Massachusetts state house gift shop for the purpose of replenishing and restocking gift shop inventory	23,000
0511-0002	For voter registration and education in the cities of Boston, Springfield and Worcester; provided, that such activity shall be conducted by a community-based voter registration and education organization.....	70,000
0511-0200	For the operation and administration of the state archives division	544,989
0511-0220	For the costs associated with the archiving of artifacts recovered during the Central Artery/Third Harbor Tunnel Project, so-called	164,100
0511-0230	For the operation and administration of the records center	187,776
0511-0250	For the operation and maintenance of the archives facilities ...	573,484
0511-0260	For the operation and administration of the commonwealth museum	203,176
0517-0000	For the printing of public documents	1,186,248
0521-0000	For the operation and administration of the elections division, including preparation, printing and distribution of ballots and for other miscellaneous expenses for primary and other elections	1,999,731
	Local Aid Fund	100.0%
0521-0001	For the operation and administration of the central voter registration computer system; provided that an annual report detailing voter registration activity shall be submitted to the house and senate committees on ways and means and the senate committee on post audit and oversight on or before January 1, 1998	2,188,378
	Local Aid Fund	100.0%

0524-0000	For providing information to voters	126,659
	Local Aid Fund 100.0%	
0526-0100	For the operation of the Massachusetts historical commission; provided, that not less than \$50,000 shall be expended for historic preservation grants; and provided further, that the unexpended balance of said \$50,000 and grants made therefrom shall not revert to the General Fund at the end of the fiscal year but shall carry forward to the next fiscal year without further appropriation	1,026,673
0527-0100	For the operation of the ballot law commission	17,500
0528-0100	For the operation of the records conservation board	35,361
0540-0100	For the Barnstable registry of deeds.....	1,751,476
0540-0200	For the Berkshire middle district registry of deeds	388,752
0540-0300	For the Berkshire northern district registry of deeds	211,023
0540-0400	For the Berkshire southern district registry of deeds	178,190
0540-0500	For the Bristol Fall River district registry of deeds	519,638
0540-0600	For the Bristol northern district registry of deeds.....	828,260
0540-0700	For the Bristol southern district registry of deeds	580,633
0540-0800	For the county of Dukes registry of deeds	182,234
0540-0900	For the Essex northern district registry of deeds	852,498
0540-1000	For the Essex southern district registry of deeds	2,199,531
0540-1100	For the Franklin county registry of deeds	452,264
0540-1200	For the Hampden county registry of deeds.....	2,020,903
0540-1300	For the Hampshire county registry of deeds.....	476,347
0540-1400	For the Middlesex northern district registry of deeds	1,392,737
0540-1500	For the Middlesex southern district registry of deeds	3,424,297
0540-1600	For the Nantucket county registry of deeds	213,791
0540-1700	For the Norfolk county registry of deeds	2,561,592
0540-1800	For the Plymouth county registry of deeds	2,083,282
0540-1900	For the Suffolk county registry of deeds	1,695,380
0540-2000	For the Worcester northern district registry of deeds	404,887
0540-2100	For the Worcester southern district registry of deeds	1,847,731

Federal Appropriations

0526-0114	For the purposes of a federally funded grant entitled, Historic Preservation Survey and Planning	675,000
0526-0115	For the purposes of a federally funded grant entitled, Massachusetts Historical Commission & Federal Preservation Grants	242,000
0526-0118	For the purposes of a federally funded grant entitled, "Lowell's Boat Shop Amesbury Preservation — Massachusetts Historical Commission".....	345,000

TREASURER AND RECEIVER-GENERAL.

Office of the Treasurer and Receiver-General.

0610-0000	For the office of the treasurer and receiver-general; provided, that the treasurer shall provide computer services required by the teachers' retirement board; provided further, that to the extent that bank fees, so-called, exceed the amount appropriated in item 0610-0100, the treasurer is authorized to transfer to said item, subject to an allocation plan which shall be filed in advance with the house and senate committees on ways and means, from this item, sufficient funds to ensure full payment of said bank fees.....	5,811,854
	General Fund.....	50.0%
	Local Aid Fund.....	40.0%
	Highway Fund.....	10.0%
0610-0100	For the payment of bank fees; provided, that the funds appropriated herein shall not be expended on administrative expenses other than those associated with the payment of bank fees	900,000
	General Fund.....	50.0%
	Local Aid Fund.....	40.0%
	Highway Fund.....	10.0%
0610-1500	For tuition payments as required by section 12B of chapter 76 of the General Laws, notwithstanding the provisions of chapter 29 of the General Laws to the contrary; provided, that the state treasurer is hereby authorized to expend in anticipation of revenue such amounts as are necessary to meet such payments; provided, that the state treasurer shall deduct the amount expended from this account from items 7061-0008 and 0611-5500 and from the amounts specified in section 3 of this act, in accordance with the provisions of said section 12B of chapter 76 of the General Laws.	
0611-1000	For bonus payments to war veterans	19,000
0611-5000	For compensation to victims of violent crimes; provided, that notwithstanding the provisions of chapter 258C of the General Laws, if a claimant is 60 years of age or older at the time of the crime and is not employed or receiving unemployment compensation, such claimant shall be eligible for compensation in accordance with said chapter even if the claimant has suffered no out-of-pocket loss; provided further, that compensation to such claimant shall be limited to a maximum of \$50; and provided further, that notwithstanding the provisions of any general or special law to the contrary, victims of the crime of rape shall be notified of all available services designed to assist rape victims including, but not limited to, the provisions outlined in section 5 of chapter 258A of the General Laws.....	2,200,000
	General Fund.....	78.21%
	Victim and Witness Assistance Fund.....	21.79%
0611-5500	For additional assistance to cities and towns to be distributed according to the provisions of section 3, and for assistance	

	to certain public entities of the commonwealth which have constructed abatement facilities; provided, that such distribution to such public entities shall equal \$1,249,948	477,565,226
	Local Aid Fund 100.0%	
0611-5510	For reimbursements to cities and towns in lieu of taxes on state-owned land pursuant to sections 13 to 17, inclusive, of chapter 58 of the General Laws.....	10,000,000
	Local Aid Fund.....100.0%	
0611-5800	For distribution, pursuant to section 18D of chapter 58 of the General Laws, to each city and town within which racing meetings are conducted	1,633,059
	Local Aid Fund..... 100.0%	
0612-0105	For payment of the public safety employee killed-in-line-of-duty benefit authorized by section 100A of chapter 32 of the General Laws	500,000
	Local Aid Fund..... 100.0%	

Pensions.

0612-1010	For the commonwealth's Pension Liability Fund established under section 22 of chapter 32 of the General Laws; provided, that the amount appropriated herein shall constitute the first-year payment of a 20-year, level-funded funding schedule for the commonwealth's unfunded pension liability; provided further, that said funding schedule shall be predicated upon an assumed investment rate-of-return of eight and one-quarter per cent; provided further, that said amount shall meet the commonwealth's obligations under section 22C of said chapter 32, including retirement benefits payable by the state employees' and the state teachers' retirement systems, reimbursement of local retirement systems for previously authorized cost-of-living adjustments pursuant to section 102 of said chapter 32, for the costs of increased survivor benefits pursuant to chapter 389 of the acts of 1984; provided, that subject to the rules and regulations promulgated by the treasurer, the state retirement board and each city, town, county and district shall verify the cost thereof and the treasurer shall be authorized to make such payments upon a transfer of funds as hereinafter provided, to reimburse certain cities and towns for pensions to retired teachers and including any other obligations which the commonwealth has assumed on behalf of any retirement system other than the state employees' or state teachers' retirement systems and including the commonwealth's share of the amounts to be appropriated pursuant to section 22B of said chapter 32 and the amounts to be appropriated pursuant to clause (a) of the last paragraph of section 21 of chapter 138 of the General Laws; provided further, that all payments for the purposes herein described shall be made only pursuant to distribution of monies from said fund; provided further, that any such distribution and the payments for which distributions are required shall be detailed in a written report filed quarterly by the commis-	
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sioner of administration with the house and senate committees on ways and means and the joint committee on public service in advance of such distribution; provided further, that such distributions shall not be made in advance of the date on which any payment is actually to be made; provided further, that the state retirement board is authorized to expend an amount for the purposes of the higher education coordinating council's optional retirement program pursuant to section 40 of chapter 15A of the General Laws; and provided further, that except where authorized herein, no funds shall be expended from this item, other than deposits to the Commonwealth's Pension Liability Fund.....

1,026,211,876

- Local Aid Fund..... 59.0%
- General Fund..... 33.9%
- Highway Fund..... 7.0%
- Inland Fisheries and Game Fund 0.1%

0612-1025 For the costs of pension benefits and liabilities associated with the takeover of county government pursuant to the provisions of sections 44, 81, 225, 229 and 238 of this act

13,397,799

0612-1507 For the cost of the commonwealth's obligation to assume book-to-market losses, pursuant to paragraph (c) of subdivision (3) of section 22 of chapter 32 of the General Laws for the fiscal year ending June 30, 1998; provided, that the public employee retirement administration shall certify such losses; and provided further, that notwithstanding any general or special law to the contrary, the pension reserve investment trust fund shall reimburse the General Fund for the amount of this appropriation on or before June 30, 1998

3,233

- Local Aid Fund..... 100.0%

0612-2000 For retirement benefits authorized pursuant to chapters 712 and 721 of the acts of 1981, chapter 154 of the acts of 1983, chapter 67 of the acts of 1988, and chapter 621 of the acts of 1989; for the compensation of veterans who may be retired by the state board of retirement, including individuals formerly in the service of the division of employment security whose compensation for such service was paid in full from a grant from the federal government and for the cost of medical examinations in connection therewith, for pensions of retired judges or their widows or widowers, for retirement allowances of certain employees formerly in the service of the administrative division of the metropolitan district commission, for retirement allowances of certain veterans and police officers formerly in the service of the metropolitan district commission, for retirement allowances of certain veterans formerly in the service of the metropolitan sewerage district, for retirement allowances of certain veterans formerly in the service of the metropolitan water system and for annuities for widows or widowers of certain former members of the uniformed branch of the state police

19,096,964

- General Fund..... 82.2%
- Highway Fund..... 17.8%

Commission on Firefighters' Relief.

0620-0000	For financial assistance to injured firefighters	9,808
	Local Aid Fund..... 100.0%	

Emergency Finance Board.

0630-0000	For the operation of the emergency finance board; provided, that notwithstanding the provisions of any general or special law to the contrary, no employee of the department of revenue shall receive any reimbursement for services from this item	70,351
	Local Aid Fund..... 100.0%	

Lottery Commission.

0640-0000	For the operation of the state lottery commission and arts lottery; provided, that no funds shall be expended from this item for any costs associated with the promotion or advertising of lottery games; provided further, that positions funded by this item shall not be subject to chapters 30 and 31 of the General Laws; provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the State Lottery Fund to the General Fund; provided further, that the state treasurer may conduct a feasibility study on the implementation of a redemption deposit system for lottery scratch tickets, so-called; provided further, that said study may include the cost of the system and a copy shall be submitted to the chairmen of the house and senate committees on ways and means; provided further, that said study shall be completed by November 1, 1997; and provided further, that no funds appropriated herein shall be scheduled in or transferred to or expanded from the EE subsidiary, so-called, of this item	35,140,464
0640-0005	For the cost associated with the continued implementation of the game of keno, so-called; provided, that any sums expended on promotional activities shall be limited to point of sale promotions and agent newsletters; provided further, that 25 per cent of this appropriation shall be transferred quarterly from the State Lottery Fund to the General Fund.....	2,201,797
0640-0010	For the promotional activities associated with the state lottery program; provided, that such promotional expenses shall be limited to point of sale promotions and agent newsletters; provided further, that 25 per cent of this appropriation shall be transferred quarterly from the State Lottery Fund to the General Fund	400,000
0640-0096	For the purpose of the commonwealth's fiscal year 1998 contributions to the health and welfare fund established pursuant to the collective bargaining agreement between the state lottery commission and the service employees international union, Local 254, AFL-CIO; provided, that such contributions shall be paid to such trust fund on such basis as said collective bargaining agreement provides	233,820
	Local Aid Fund..... 100.0%	

0640-0103	For the operation and administration of the state lottery commission and arts lottery; provided, that all funds appropriated herein shall be scheduled and expended in the EE subsidiary, so-called; provided further, that no funds shall be expended from any other subsidiary except said EE subsidiary, so-called; provided further, that said commission is hereby directed to use the most cost-effective paper products for producing instant tickets; provided further, that said commission is also directed to use recycled paper products for producing instant tickets and bet slips whenever possible; provided further, that no funds shall be expended from this item for any costs associated with advertising lottery games; and provided further, that 25 per cent of this appropriation shall be transferred quarterly from the State Lottery Fund to the General Fund	27,042,847
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Massachusetts Cultural Council.

State Appropriations

0640-0300	For the services and operations of the council; provided, that notwithstanding the provisions of any general or special law to the contrary, the council may expend the amounts herein appropriated for the purposes of the council as provided in sections 52 to 58, inclusive, of chapter 10 of the General Laws in such amounts and at such times as the council may determine pursuant to section 54 of said chapter 10; provided further, that 25 per cent of this appropriation shall be transferred quarterly from the Arts Lottery Fund to the General Fund; provided further, that any funds expended from this item for the benefit of schoolchildren shall be expended for the benefit of all Massachusetts schoolchildren and on the same terms and conditions; provided further, that the council shall not expend funds from this item for any recipient that, in any program or activity for Massachusetts schoolchildren, does not apply the same terms and conditions to all such schoolchildren; provided further, that \$5,000 shall be expended to assist completion of the Worcester tornado memorial; and provided further, that persons employed under this item shall be considered employees within the meaning of section 1 of chapter 150E, and shall be placed in the appropriate bargaining units	11,361,807
0640-0350	For the purposes of cultural resources act pursuant to section 36 of chapter 69 of the General Laws; provided, that the council shall not expend funds from this item for any recipient that, in any program or activity for Massachusetts schoolchildren, does not apply the same terms and conditions to all such schoolchildren...	3,329,850

Federal Appropriations

0640-9717	For the purposes of a federally funded grant entitled, Basic State Grant	352,000
0640-9718	For the purposes of a federally funded grant entitled, Artists in Education	47,000
0640-9721	For the purposes of a federally funded grant entitled, Youth Reach	111,240

0640-9724	For the purposes of a federally funded grant entitled, Youth Reach State and Regional Programs	43,100
	<i>Debt Service.</i>	
0699-0015	For the payment of interest, discount and principal on certain bonded debt and the sale of bonds of the commonwealth previously charged to the Local Aid Fund, the State Recreation Areas Fund, the Metropolitan Parks District Fund, the Metropolitan Water District Fund, the Metropolitan Sewerage District Fund, the Watershed Management Fund, the Highway Fund and the Inter-City Bus Fund; provided, that payments of certain serial bonds maturing previously charged to the Local Aid Fund, the State Recreation Areas Fund, the Metropolitan Water District Fund, the Metropolitan Sewerage District Fund and the Highway Fund shall be paid from this item; provided further, that payments on bonds issued pursuant to section 2O of chapter 29 of the General Laws shall be paid from this item and shall be charged to the Infrastructure sub fund of the Highway fund; and provided further, that payments of interest, discount and principal on certain bonded debt of the commonwealth associated with the Watershed Management Fund for the acquisition of development rights and other interests in land, including fee simple acquisitions of watershed lands of the Quabbin and Wachusett reservoirs and the Ware river watershed above the Ware river intake pipe shall be paid from this item	1,105,106,700
	General Fund	65.77%
	Infrastructure Fund	25.01%
	Local Aid Fund.....	9.18%
	Watershed Management Fund	0.04%
0699-0090	For the debt service associated with Dedicated Income Tax Bonds, Fiscal Recovery Loan Act of 1990; provided, that the state comptroller is hereby authorized to transfer such amounts as would otherwise be unexpended on June 30, 1998 to item 0699-0100, if said item has insufficient amounts to meet debt service payments for the fiscal year ending June 30, 1998; and provided further, that any amount transferred to item 0699-0100 shall be charged to the Commonwealth Fiscal Recovery Fund, prior appropriation continued. Commonwealth Fiscal Recovery Fund	100.0%
0699-0100	For payments related to bonds issued pursuant to chapter 151 of the acts of 1990 due under agreements entered into pursuant to section 38C of chapter 29 of the General Laws; provided, that the state comptroller is hereby authorized to transfer such amounts as would otherwise be unexpended on June 30, 1998 to item 0699-0090, if said item has insufficient amounts to meet debt service payments for the fiscal year ending June 30, 1998; and provided further, that any amount transferred to item 0699-0090 shall be charged to the General Fund, prior appropriation continued.	

0699-9100	For the payment of interest and issuance costs on bonds and bond and revenue anticipation notes and other notes pursuant to sections 47 and 49B of chapter 29 of the General Laws; provided, that the treasurer shall certify to the comptroller a schedule of the distribution of such costs among the various funds of the commonwealth; provided further, that the comptroller shall charge such costs to such funds in accordance with such schedule; and provided further, that any deficit in this item at the close of the fiscal year ending June 30, 1998 shall be charged to the various funds or to the General Fund or Highway Fund debt service reserves	10,000,000
0699-9200	For certain debt service contract assistance to the government land bank in accordance with the provisions of section 8B of chapter 212 of the acts of 1975	6,000,000

STATE AUDITOR.

Office of the State Auditor.

0710-0000	For the office of the state auditor, including the operation and administration of the division of local mandates and the review and monitoring of privatization contracts in accordance with the provisions of sections 53 through 55, inclusive, of chapter 7 of the General Laws; provided, that a report shall be submitted to the house and senate committees on ways and means not later than September 30, 1997 delineating the privatization contracts reviewed and monitored during fiscal year 1997; and provided further, that such report shall also detail the relative number of full-time equivalent positions assigned to each of the aforementioned privatization contracts reviewed	12,805,436
	General Fund	94.56%
	Local Aid Fund	5.44%

ATTORNEY GENERAL.

State Appropriations

0810-0000	For the office of the attorney general, including the administration of the local consumer aid fund, the operation of the anti-trust division, the public utilities proceedings unit, pursuant to section 11E of chapter 12 of the General Laws, the administering of judicial proceedings relevant to the fuel charge, pursuant to section 94G of chapter 164 of the General Laws and such other proceedings as may be reasonably related to said section 94G; provided, that said assessment shall be credited to the General Fund for the operation of the medicaid fraud control unit; provided further, that the federal reimbursement for any expenditure for this item shall not be less than 75 per cent of such expenditure for the costs incurred in administrative or judicial proceedings on insurance as authorized by section 11F of said chapter 12; provided further, that funds made available herein may be used to supplement the automobile insurance fraud unit and the workers' compensation fraud unit of the office of the attorney general
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and the victim compensation program; provided further, that the victim and witness assistance program shall be administered in accordance with the provisions of chapters 258B and 258C of the General Laws; provided further, that the attorney general shall submit to the general court and to the secretary of administration and finance a report detailing the claims submitted to the state treasurer for payment under item 0611-5000 indicating both the number and costs for each category of claim; and provided further, that an additional sum of \$375,000 shall be expended for the salaries and expenses of the safe neighborhood initiative, so-called; and provided further, that the public proceedings unit shall review water rate increases

20,476,052

General Fund 92.74%
Local Aid Fund 3.91%
Anti-Trust Law
Enforcement Fund 1.98%
Victim and Witness
Assistance Fund 0.88%
Safe Drinking Water
Fund 0.49%

0810-0045 For the labor law enforcement program, pursuant to subsection (b) of section 1 of chapter 23 of the General Laws; provided, that notwithstanding the provisions of any general or special law to the contrary, any nonmanagement position funded by this item shall be deemed a job title in a collective bargaining unit as prescribed by the labor relations commission and shall be subject to the provisions of chapter 150E of the General Laws

2,749,872

0810-0338 For the investigation and prosecution of automobile insurance fraud; provided, that notwithstanding the provisions of section 3 of chapter 399 of the acts of 1991, the amount assessed pursuant to said section 3 for the cost of this program shall be \$250,000

261,032

0810-0399 For the investigation and prosecution of workers' compensation fraud; provided, that notwithstanding the provisions of section 3 of chapter 339 of the acts of 1991, the amount assessed pursuant to said section 3 for the cost of this program shall be \$250,000; provided further, that the attorney general is hereby authorized and directed to investigate and prosecute, where appropriate, employers who fail to provide workers' compensation insurance in accordance with the laws of the commonwealth; and provided further, that said unit shall investigate and report on all companies not in compliance with chapter 152 of the General Laws ..

435,389

0830-0100 For the commission on uniform state laws

29,200

0840-0100 For the operation of the Massachusetts office for victim assistance

305,661

Victim and Witness
Assistance Fund 100.0%

0840-0101 For the salaries and expenses of continuing the pilot domestic violence advocates program in the Hampshire probate and

family court and the Northampton and Ware district courts; provided, that \$37,000 from said program shall be made available for the salary and expenses of a coordinator or supervisor of said program within the Massachusetts office of victim assistance; provided further, that said office shall submit to the house and senate committees on ways and means on or before February 3, 1998, a report detailing the effectiveness of contracting for said program including, but not limited to, the number and types of incidents to which such advocates responded, the types of service and service referrals provided by such domestic violence advocates, the cost of providing such contracted services and the extent of coordination with other service providers and state agencies 115,162

Federal Appropriations

0810-6646 For the purposes of a federally funded grant entitled, Crime Victim Compensation 1,300,000

0840-0110 For the purposes of a federally funded grant entitled, Crime Victim Assistance 4,300,000

0840-0113 For the purposes of a federally funded grant entitled, New England Victim Assistance Training 45,000

STATE ETHICS COMMISSION.

0900-0100 For the operation of the state ethics commission 1,282,518

General Fund 50.0%

Local Aid Fund 50.0%

OFFICE OF THE INSPECTOR GENERAL.

0910-0200 For the operation and administration of the office of the inspector general 1,612,843

0910-0210 The office of the inspector general is hereby authorized to expend revenues collected up to a maximum of \$100,000 from the fees charged to participants in the Massachusetts public purchasing official certification program for the operation of said program; provided, that for the purpose of accommodating discrepancies between the receipts of retained revenues and related expenditures, the office of the inspector general may incur expenses and the comptroller may certify for payments amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system 100,000

OFFICE OF CAMPAIGN AND POLITICAL FINANCE.

0920-0300 For the operation of the office of campaign and political finance 769,737

General Fund 50.0%

Local Aid Fund 50.0%

OFFICE OF THE STATE COMPTROLLER.

1000-0001	For the office of the state comptroller, for the purpose and cost of compliance with the Single Audit Act of 1984, Public Law 89-502, and for the federally required comprehensive, statewide single audit of state operations for the fiscal year ending June 30, 1997, in accordance with generally accepted accounting principles; provided, that the office of the comptroller shall charge other items of appropriation for the cost of said audit from allocated federal funds transferred from federal reimbursement and grant receipts; provided further, that the costs of said audit and the total amount so charged shall not exceed \$525,000; provided further, that notwithstanding any general or special law to the contrary, allocated federal funds transferred from federal reimbursement and grant receipts shall be credited to and expended from this item without further appropriation, in addition to state funds appropriated to this item, for the cost of compliance with the mandate of the federal law and the office of management and budget regulations; provided further, that the amount of any such federal funds and grant receipts so credited and expended from this item shall be reported to the house and senate committees on ways and means; provided further, that the comptroller shall maintain a special federal and nontax revenue unit which shall operate under policies and procedures developed in conjunction with the office of purchased services; and provided further, that the comptroller shall provide quarterly reports to the house and senate committees on ways and means which shall include for each state agency for which the commonwealth is billing, the eligible state services, the full year estimate of revenues and revenues collected	6,919,142
	General Fund	93.81%
	Revenue Maximization Fund	6.19%
1000-0004	The office of the comptroller is hereby authorized and directed to expend an amount not to exceed \$20,000 from fees collected from vendors who participate in training on statewide financial systems including, but not limited to, the Massachusetts management accounting and reporting system; provided that said office is hereby further authorized and directed to provide such training, to offer sessions to vendors who do business with the commonwealth and to establish and charge a reasonable fee for such training	20,000

EXECUTIVE OFFICE FOR
ADMINISTRATION AND FINANCE.

Office of the Secretary.

1100-1100	For the office of the secretary, including the costs of the central business office; provided, that forecasts generated by the state economic model and the governor's revenue advisory board shall be filed quarterly with the house and senate committees on ways and means	2,983,349
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1100-1101	For the implementation of the Massachusetts performance enhancement program pursuant to section 303	200,000
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Administering Agency for Developmental Disabilities.

Federal Appropriations

1100-1703	For the purposes of a federally funded grant entitled, Implementation of the Federal Developmental Disabilities Act; provided, that in order to qualify for said grant, this item shall be exempt from the first \$55,600 of fringe benefit charges pursuant to section 6B of chapter 29 of the General Laws	1,367,599
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1100-1710	For the purposes of a federally funded grant entitled, Massachusetts Developmental Disabilities Council Service Grant	363,601
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Office of Dispute Resolution.

1100-1103	For the office of dispute resolution; provided, that the office shall generate not less than \$385,503 from the collection of fees charged to other state agencies, cities, towns and other political subdivisions of the commonwealth or to corporations and individuals for the costs of mediation and related services	385,503
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1100-1104	The office of dispute resolution is hereby authorized to expend an amount not to exceed \$90,000 in revenue collected from fees charged to cities, towns, or public instrumentalities or to corporations and individuals for the costs of mediation and related services	90,000
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Massachusetts Corporation For Educational Telecommunications.

1100-1400	For a payment to the Massachusetts Corporation for Educational Telecommunications to be expended in accordance with a plan filed with the general court; provided, that said Massachusetts Corporation for Educational Telecommunications shall explore the delivery of training through distance learning and other on-line methods to municipal police officers with the criminal justice training council.....	3,700,000
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State House Physician.

1100-2600	For the emergency service of a physician, for medical supplies in the state house and for expenses, including the purchase of equipment in connection therewith; provided, that section 21 of chapter 30 of the General Laws shall not apply to the payments made under this item, prior appropriation continued.....	26,170
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Fiscal Affairs Division.

1101-2100	For the administration of the fiscal affairs division; provided, that charges for the cost of computer resources and services provided by the division of information technology for the design, development and production of reports and information required to be included in budgets submitted by the governor to the legislature shall not be charged to this item	1,950,051
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Division of Capital Planning and Operations.

1102-3205	The division of capital planning and operations is hereby authorized to expend for the maintenance and operation of the Massachusetts information technology center an amount not to exceed \$6,042,944 in revenues collected from rentals, commissions, fees, parking fees and any and all other sources pertaining to the operations of said center; provided, that the building manager selected by the division shall make such expenditures on behalf of the division pursuant to the provisions of section 2AA of chapter 29 of the General Laws; and provided further, that notwithstanding the provisions of any general or special law to the contrary and for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system	6,042,944
	State Building	
	Management Fund	100.0%
1102-3210	For the operation of the division of capital planning and operations.....	4,761,725
1102-3214	For the state transportation building; provided, that the division of capital planning and operations is hereby authorized to expend revenues collected up to a maximum of \$6,205,000 from rentals, commissions, fees, parking fees and from any and all other sources pertaining to the operation of the state transportation building for the maintenance and operation of said building; provided, that the building manager selected by said division shall make such expenditures on behalf of said division pursuant to the provisions of section 2AA of chapter 29 of the General Laws; provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division of capital planning and operations may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, the square foot rental rate charged to the department of highways shall not exceed the rates in effect on April 1, 1996	6,205,000
	State Building	
	Management Fund	100.0%
1102-3221	The division of capital planning and operations is hereby authorized to expend for consultant personnel and associated costs, \$200,000 from revenues received for project management services provided to, but not limited to, the Massachusetts information technology center and the several community colleges pursuant to the provisions of section 42J of chapter 7 of the General Laws, including the costs of personnel; provided, that a quarterly report shall be filed with the house and senate committees on	

	ways and means detailing expenditures by project; provided, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division of capital planning and operations may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system	200,000
1102-3231	For the Springfield state office building; provided, that the division of capital planning and operations is hereby authorized to expend revenues collected up to a maximum of \$750,000 accrued from rents charged to agencies occupying said Springfield state office building for the maintenance and operation of said building, pursuant to the provisions of section 2AA of chapter 29 of the General Laws; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division of capital planning and operations may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system	750,000
	State Building	
	Management Fund100.0%	
1102-3250	For an economic development study of the Newmarket Business District in the South Bay incinerator area, so-called, in the city of Boston	40,000
1102-9999	For the costs associated with the removal of asbestos; provided, that an amount shall be expended for asbestos removal at Boston state hospital, Greenfield Community College and the Fore River shipyard based on the priority needs and estimated costs of asbestos removal at said sites consistent with the amount appropriated herein	4,800,000
	Asbestos Cost Recovery Fund 100.0%	
	<i>Bureau of State Office Buildings.</i>	
1102-3301	For the administration of the bureau of state office buildings and for the maintenance and operation of buildings under the jurisdiction of the state superintendent of buildings; provided, that not less than \$200,000 shall be made available for cleaning and maintenance service at the Erich Lindemann Mental Health Center; provided further, that not less than \$50,000 shall be made available for the restoration and preservation of the historic flags displayed in the state house hall of flags; provided further, that not less than \$90,000 shall be made available for the art commission; and provided further, that notwithstanding the provisions of section 19 of chapter 6 of the General Laws, the chairman of said commission shall serve for the duration of the project as executive director of said project and shall be compensated therefor from funds appropriated in this item.....	8,876,629

1102-3302	For the purposes of utility costs and associated contracts for the properties managed by the bureau of state office buildings and the division of capital planning and operations.....	7,783,500
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Office on Disability.

1107-2400	For the office on disability; provided, that not less than \$50,000 of the amount appropriated herein shall be expended for arts programs for people with disabilities including, but not limited to, festivals, training and education through the arts	580,113
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Federal Appropriation

1107-2450	For the purposes of a federally funded grant entitled, Client Assistance Program.....	207,000
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Disabled Persons Protection Commission.

State Appropriation

1107-2501	For the disabled persons protection commission; provided, that the commission shall facilitate compliance by the department of mental health and the department of mental retardation with uniform investigative standards, so-called; provided further, that effective October 1, 1997, five additional investigators and three state police officers shall be funded from this appropriation pursuant to sections 18 and 19; provided further, that the costs of such investigators and state police officers shall not annualize to an amount greater than \$290,000 in fiscal year 1997; provided further, that such additional investigators shall be trained by such state police officers; provided further, that the commission shall keep an account of the number of claims of abuse by caretakers made by employees or contracted service employees of the departments of mental retardation and mental health as well as other reports of abuse by caretakers; and provided further, that such account shall include the following categories: (i) number of claims that are found to be substantiated; (ii) number of claims that are unsubstantiated; (iii) number of claims that are found to be falsely reported as a result of intentional and malicious action	1,830,359
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Federal Appropriation

1107-2525	For the purposes of a federally funded grant entitled, Abuse Prevention for Consumers with Disabilities	85,000
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Civil Service Commission

1108-1011	For the civil service commission.....	471,121
	Local Aid Fund.....	65.0%
	General Fund	35.0%

Group Insurance Commission.

1108-5100	For the administration of the group insurance commission; provided, that said commission shall generate the maximum amounts allowable under the federal Consolidated Omnibus Budget Reconciliation Act, as amended, and from reimbursements allowed by sections 8, 10B, 10C, and 12 of chapter 32A of the General Laws	2,001,024
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1108-5200

For the commonwealth's share of the group insurance premium and plan costs incurred in fiscal year 1998; provided, that not more than \$300,000 shall be obligated for the evaluation and audit of said premium and plan costs; provided further, that not more than \$300,000 shall be obligated for the evaluation and negotiation of premium rates which may include rates for health benefit plans, mail order prescription drug plans and long-term disability plans; provided further, that not more than \$150,000 shall be obligated for claims utilization analysis; provided further, that the secretary of administration and finance shall charge the department of employment and training and other departments, authorities, agencies and divisions which have federal or other funds allocated to them for such purpose for that portion of insurance premiums and plan costs as he determines should be borne by such funds and said secretary shall notify the comptroller of the amounts to be transferred, after similar determination, from the several state or other funds and amounts received in payment of all such charges or such transfers shall be credited to the General Fund; provided further, that the group insurance commission shall obtain reimbursement for premium and administrative expenses from other agencies and authorities not funded by state appropriations; provided further, that the secretary of administration and finance is hereby authorized and directed to charge all agencies for the commonwealth's share of the health insurance costs incurred on behalf of any employees of those agencies who are on leave of absence for a period of more than one year; provided further, that the amounts received in payment for such charges shall be credited to the General Fund; provided further, that, notwithstanding the provisions of section 26 of chapter 29 of the General Laws, the commission is hereby authorized to negotiate, purchase and execute contracts prior to July first of each year for policies of group insurance as authorized by chapter 32A of the General Laws; provided further, that notwithstanding the provisions of chapter 150E of the General Laws and as provided in section 8 of said chapter 32A and for the purposes of section 14 of said chapter 32A, the commonwealth's share of the group insurance premium for state employees who have retired prior to July 1, 1994 shall be 90 per cent and the commonwealth's share of the group insurance premium for state employees who have retired on or after July 1, 1994 shall be 85 per cent; provided further, that the commission shall provide the house and senate committees on ways and means with the number of state employees who have retired on or after July 1, 1994; provided further, that the commonwealth's share of such premiums for active state employees shall be 85 per cent of such premiums and rates; provided further, that notwithstanding the provisions of chapter 150E of the General Laws, employees of the Massachusetts Bay Transportation Authority and of regional transit authorities shall continue to pay the same percentage, if any, of their health insurance premiums as

	they paid on June 1, 1994; provided further, that active employees of the Massachusetts Bay Transportation authority and of regional transit authorities shall pay 15 per cent of such premiums and rates; provided further, that the commission shall notify the house and senate committees on ways and means on or before March fifteenth of each year of the cost of the commonwealth's projected share of group insurance premiums for the next fiscal	442,237,474
1108-5230	For payment of prior year costs incurred by the state indemnity health insurance plan and the preferred provider organization; provided, that expenditures from this item shall be made only for the purposes expressly stated herein	51,047,592
1108-5250	For the commonwealth's share of former county employee health, dental and optical insurance premium and plan costs incurred in fiscal year 1998; provided, that the commonwealth's share of such premium and plan costs for former county employees shall be equal to the county's share as specified in any relevant collective bargaining agreement and shall remain at such level until the expiration of such collective bargaining agreement.....	17,583,255
1108-5350	For elderly governmental retired employee premium payments	1,850,190
1108-5400	For the costs of the retired municipal teachers' premiums and the audit of such premiums	22,016,857
	Local Aid Fund.....100.0%	
1108-5500	Notwithstanding the provisions of chapter 32A of the General Laws to the contrary, for the provision of dental and vision benefits for those active employees of the commonwealth, not including former county employees and employees of authorities or any other political subdivision, who are not otherwise provided such benefits pursuant to a separate appropriation or the provisions of a contract or collective bargaining agreement; provided that such employees shall pay at least 15 per cent of the monthly premium established by the commission for such benefits.....	2,875,557
	<i>Division of Administrative Law Appeals.</i>	
1110-1000	For the division of administrative law appeals established by section 4H of chapter 7 of the General Laws.....	511,654
	<i>George Fingold Library.</i>	
1120-4005	For the administration of the library; provided, that said library shall maintain regular hours of operation from nine a.m. to five p.m.; provided further, that not less than \$25,000 shall be obligated for the purposes of converting the card catalogue to a machine readable format; and provided further, that said library shall continue the implementation program necessary in order to secure access to the wide area network	1,205,154

Massachusetts Commission Against Discrimination.

State Appropriations

1150-5100	For the office of the commission; provided, that all positions except clerical, shall be exempt from the provisions of chapter 31 of the General Laws; and provided further, that said commission shall pursue the highest allowable rate of federal reimbursement.....	1,120,261
1150-5104	The Massachusetts commission against discrimination is hereby authorized to expend revenues collected through federal reimbursements received for the purposes of the United States Department of Housing and Urban Development fair housing type 1 program and the equal opportunity resolution contract program during fiscal year 1998, and federal reimbursements received for these and other programs in prior years; provided, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, said commission may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that notwithstanding the provisions of section 1 or any other general or special law to the contrary, federal reimbursements received in excess of \$1,533,344 shall be credited to the General Fund; provided further, that notwithstanding the provisions of any general or special law to the contrary, funds may be expended from this item for the purposes of case investigations, conciliation and resolution efforts of local agencies as provided by contract through the commission; provided further, that such efforts shall include, but not be limited to, the following cities and towns: Worcester, New Bedford, Somerville, Chelsea, Cambridge and Barnstable; provided further, that notwithstanding the provisions of any general or special law to the contrary, the commission shall deposit into the General Fund any federal reimbursements received for these purposes in fiscal year 1998; provided further, that the commission shall report to the house and senate committees on ways and means not later than the last day of each quarter federal reimbursements received in each such quarter, anticipated reimbursements to be received in the remaining quarters of the fiscal year, and reimbursements projected to be collected in the subsequent fiscal year for such purposes; provided further, that such report shall detail actual and anticipated reimbursements by date of receipt, case type, reimbursement per case and cases resolved; and provided further, that the costs of personnel may be charged to this item.....	1,533,344
1150-5114	The Massachusetts commission against discrimination is hereby authorized to expend \$100,000 for the sole purpose of supporting the civil rights enforcement efforts of cities and towns through their local human rights commissions; provided, that such efforts shall include, but not be limited to, the following cities and towns: Amherst, Barnstable, Boston, Cambridge, Chelsea, Lawrence,	

Malden, Melrose, New Bedford, Northampton, Pittsfield, Somerville, Springfield and Worcester; provided further, that funds made available herein shall be in addition to funds available in item 1150-5104.....

100,000

1150-5115 For the prompt processing and resolution of all cases pending before the commission which were filed on or before July 1, 1993 and of all cases pending before the commission in which the Massachusetts Bay Transportation Authority is named as a respondent; provided, that on or before October 1, 1997, the commission shall submit to the senate and house committees on ways and means a report of the total number of such cases currently pending and the total number of such cases in the investigation, conciliation, post-probable cause and prepublic hearing, and post-hearing stages; provided further, that the commission shall file an update of such report with said committees on or before March 1, 1998; provided further, that the commission shall identify in such reports the number of cases in which the commission has determined there is probable cause to believe that a violation of the provisions of chapter 151B of the General Laws has been committed in a case in which the Massachusetts Bay Transportation Authority is named as a respondent; provided further, that the commission shall report to the house and senate committees on ways and means on or before September 1, 1997 the number of cases pending before the commission in which a state agency or state authority is named as a respondent and the number of such cases in which the commission has found probable cause to believe that a violation of the provisions of said chapter 151B has been committed; provided further, that the costs of personnel shall not be charged to this item; and provided further that an amount not to exceed \$15,000 may be expended to fund Edward Brooke scholarships to the extent that the recipients of said scholarships shall assist the commission in resolving the cases pending before the commission which were filed on or before July 1, 1993

115,000

Federal Appropriations

1150-5109 For the purposes of a federally funded grant entitled, Fair Housing Initiative Program-Type V

17,425

Department of Revenue.

State Appropriation

1201-0100 For the administration of the department of revenue, including audits of certain foreign corporations; provided, that the comptroller shall transfer to the General Fund the sum of \$260,000 from the receipts of the cigarette tax in accordance with the provisions of paragraph (b) of section 14 of chapter 291 of the acts of 1975; provided further, that the department may allocate an amount not to exceed \$250,000 to the department of the attorney general for the purpose of the tax prosecution unit; provided further, that the department of revenue may charge the expenses for computer services, including the cost of personnel and other support costs provided to the child sup-

port enforcement division and the local services division, from this account to item 1201-0160 or 1231-0100, consistent with the costs attributable to the respective divisions; provided further, that the department shall maintain a regional office in the city of Springfield; provided further, that the department shall maintain a regional office in the city of Pittsfield; and, provided further, that the department shall maintain a regional office in the city of Worcester; provided further, that the department shall have an employee or other such person answering all initial incoming telephone calls at the customer service bureau between the hours of 9:00 a.m. and 5:00 p.m..... 106,172,169

General Fund	60.0%
Local Aid Fund.....	35.0%
Highway Fund	5.0%

1201-0130 The department of revenue is hereby authorized to expend an amount not to exceed \$4,297,176 from revenues collected from the tax enforcement program authorized by sections 249 of chapter 38 of the acts of 1995 and 57 of chapter 151 of the acts of 1996, for the cost of personnel, related benefits and equipment and supplies; provided that, in addition to the number of positions specified in said sections, an additional 35 persons shall be employed in said tax enforcement program with no less than ten of said additional positions for persons employed as field auditors with the remaining additional positions created and staffed for legal and technology support of said tax enforcement program; provided further, that no monies shall be transferred from this item to any other item of appropriation..... 4,297,176

1201-0160 For the administration of the child support enforcement division of the department of revenue; provided, that the department may allocate the funds herein to the department of state police, the district courts, the probate and family court department, the district attorneys and other state agencies for the performance of certain child support enforcement activities and such agencies are hereby authorized to expend such amounts for the purposes of this item; provided further, that all such allocations shall be reported quarterly to the house and senate committees on ways and means upon the allocation of said funds; provided further, that federal receipts associated with the child support computer network shall be deposited into a revolving account to be drawn down at the highest possible rate of reimbursement and to be expended for the network; provided further, that the department shall file quarterly status reports on the progress of said network with the house and senate committees on ways and means; provided further, that the department shall file quarterly reports with the house and senate committees on ways and means, detailing the balance, year-to-date and projected receipts and year-to-date and projected expenditures, by subsidiary, of the child support trust fund established pursuant to section 9 of chapter 119A of the General Laws; provided further, that the department shall file a perfor-

mance report with the house and senate committees on ways and means on or before November 15, 1997 detailing current staffing levels by function and performance indicators, including, but not limited to, AFDC and non-AFDC caseloads, collection levels, court cases, paternities established, court orders established, average employee workload, federal reimbursements, projections of said indicators for the remainder of the fiscal year and any deviations of current performance from previous projections; and provided further, that the division shall make all reasonable efforts to maximize AFDC child support collections

36,213,412

1201-8888 For costs associated with printing expenses and supplies of the department of revenue; provided, that, notwithstanding the provisions of any general or special law to the contrary, prior to April 15, 1998, all funds appropriated herein shall be scheduled in the EE subsidiary, so-called; provided further, that after said date, the commissioner of revenue, with the approval of the secretary of administration and finance, is hereby authorized to transfer from said EE subsidiary to the KK subsidiary, so-called, or the NN subsidiary, so-called, of this account, an amount not to exceed 15 per cent of the funds appropriated herein, if said secretary of administration and finance certifies in writing to the house and senate committees on ways and means that the following conditions have been met: (1) that the charges owed by said department of revenue for costs associated with printing expenses and supplies does not exceed the amount appropriated herein; (2) that the department does not require any supplemental appropriations in any of its other items of appropriation; (3) that the department is expected to meet the revenue targets established in sections 1A and 1B; and (4) that the department has not expended any funds for costs associated with printing expenses and supplies in any of its other items of appropriation; provided further, that said secretary of administration and finance shall notify the house and senate committees on ways and means of all transfers of funds between subsidiaries as authorized herein; and provided further, that no funds shall be scheduled in a subsidiary which is not explicitly referenced herein

2,740,691

General Fund 59.57%
Local Aid Fund..... 35.47%
Highway Fund 4.96%

1231-0100 For the administration of the division of local services, including the bureaus of municipal data management and technical assistance, property tax, local assessment and accounts, including the expense of auditing municipal accounts where the circumstances require state assistance to accomplish a specific purpose in the protection of the public interest, for the operation of technical assistance and educational programs for financial officials of the cities and towns, for the monitoring of municipal audits performed by independent public accountants, for the

	supervision of the installation of accounting systems meeting generally accepted accounting principles and for the expenses of materials which may be sold to cities and towns, including the expenses for developing and implementing a comprehensive and voluntary program of technical assistance and training for cities, towns and districts in local property tax assessment administration and accounting and financial management review; provided, that the department shall provide to the general court access to the municipal data bank.....	4,825,352
	Local Aid Fund.....100.0%	
1231-1000	For the Commonwealth Sewer Rate Relief Fund established by section 2Z of chapter 29 of the General Laws	50,700,000
	Local Aid Fund.....87.20%	
	Commonwealth Cost	
	Relief Fund12.80%	
1231-1020	For a program of loan guarantees and interest subsidies to assist homeowners in complying with the revised state environmental code for subsurface disposal of sanitary waste, Title V, so called; provided, that said program shall be in addition to the loan program established pursuant to item 2200-9959 in section 2 of chapter 85 of the acts of 1994; provided further, that the department may contract with third parties including, but not limited to, commonwealth-based financial institutions to manage said program; provided further, that the department and said third parties shall take all steps necessary to minimize said program's administrative costs; provided further, that such loan guarantees shall be available on the basis of a sliding scale that relates a homeowner's income and assets to the cost of Title V compliance; provided further, that interest subsidies shall be means-tested and may be for zero interest loans pursuant to income standards developed by the department; provided further, that, the department of revenue shall consult with the department of environmental protection in developing rules, regulations and guidelines for said programs, prior appropriation continued.	
1232-0000	For the underground storage tank program and the administrative expenses associated with the implementation of chapter 21J of the General Law; provided, that notwithstanding the provisions of section 4 of said chapter 21J or any other general or special law to the contrary, appropriations made herein shall be sufficient to cover said administrative expenses of the underground storage tank program; provided further, that in the processing of claims, priority shall be given to claims where an imminent health hazard to residential water supplies is present.....	413,038
	Underground Storage Tank	
	Petroleum Product	
	Cleanup Fund 100.0%	
1232-0100	For underground storage tank reimbursements to parties that have cleaned up spills of petroleum products pursuant to chapter 21J of the General Laws; provided, that in the pri-	

	oritization of claims, consideration shall be given to claimants who own not more than two dispensing facilities	17,000,000
	Underground Storage Tank	
	Petroleum Product	
	Cleanup Fund 100.0%	
1232-0200	For the underground storage tank administrative review board pursuant to chapter 21J of the General Laws	816,436
	Underground Storage Tank	
	Petroleum Product	
	Cleanup Fund 100.0%	
1232-0300	For underground storage tank municipal grants to remove and replace said tanks pursuant to section 2 of chapter 21J of the General Laws and section 37A of chapter 148 of the General Laws	2,000,000
	Underground Storage Tank	
	Petroleum Product	
	Cleanup Fund 100.0%	
1233-2000	For reimbursements to cities and towns for tax abatements granted pursuant to clauses Seventeenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second E, and Thirty-seventh of section 5 of chapter 59 of the General Laws	8,250,000
	Local Aid Fund..... 100.0%	
1233-2010	For the tax abatements programs; provided, that cities and towns shall be reimbursed for abatements granted to certain homeowners over the age of 65 pursuant to clause Fifty-second of section 5 of chapter 59 of the General Laws; provided further, that not more than \$2,000,000 shall be expended from this item for a low income sewer and water assistance program pursuant to the provisions of section 24B of chapter 23B of the General Laws, prior appropriation continued.	
1233-2310	For reimbursing cities and towns for taxes abated under clauses Forty-first, Forty-first B and Forty-first C of section 5 of chapter 59 of the General Laws; and provided further, that the commonwealth shall reimburse each city or town that accepts the provisions of said clause Forty-first B or Forty-first C for additional costs incurred in determining eligibility of applicants under said clauses in an amount not to exceed \$2 per exemption granted.....	13,400,000
	Local Aid Fund..... 100.0%	
Federal Appropriation		
8314-9707	For the purposes of a federally funded grant entitled, Underground Storage Tank Registry Program.....	200,000
	<i>Appellate Tax Board.</i>	
1310-1000	For the appellate tax board; provided, that the board shall schedule hearings in Barnstable, Gardner, Lawrence, Milford, Northampton, Pittsfield, Springfield and Worcester	1,188,572

Department of Veterans' Services.

0610-0093	For the purposes of allowing the department of veterans' services to make bonus payments to Persian Gulf war veterans; provided that all such payments shall be consistent with the purposes of the trust instrument for "A Hero's Welcome Trust Fund"	18,000
	A Hero's Welcome Trust Fund 100.0%	
1410-0010	For the administration and support of the office of veterans' services; provided, that not less than \$10,000 shall be expended for the maintenance of the Massachusetts Korean War memorial located in the shipyard park of the Charlestown Navy Yard; and provided further, that the office shall fund a housing specialist from this item; provided, further, that \$25,000 shall be expended for the department of veterans' services to conduct a study and prepare a plan for the establishment of a state veterans' cemetery in central Massachusetts; provided, further, said study and plan shall evaluate issues including, but not limited to, acreage, costs associated with the acquisition of land, construction and operation of said cemetery and shall identify a site for said cemetery including, but not limited to, federal or state owned land; provided, further, said study shall further include mechanisms to receive federal assistance or federal matching grants; provided, further, said study and plan shall be reported to the house and senate committees on ways and means within 120 days of the effective date of this act; and, provided, further, that notwithstanding the provisions of this item, any costs associated with completion of said study shall be paid from this item; prior appropriation continued	1,716,222
1410-0012	For services to veterans, including the maintenance and operation of outreach centers; provided, that such centers shall provide counseling to incarcerated veterans and to Vietnam era veterans and their families who may have been exposed to agent orange; provided further, that \$185,000 shall be obligated for a contract with the Veterans Benefits Clearinghouse in the Roxbury section of the city of Boston; provided further, that \$75,000 shall be obligated for a contract with the Veterans Northeast Outreach Center in the city of Haverhill; provided further, that \$70,000 shall be obligated for a contract with the Veterans Association of Bristol County in Fall River; provided further, that \$79,500 shall be obligated for a contract with the North Shore Veterans Counseling Center in the city of Beverly; provided further, that \$100,000 shall be obligated for a contract with NamVets of the Cape and Islands in the town of Hyannis; provided further that \$100,000 shall be obligated for a contract with the Metrowest/Metrosouth Outreach Center in the town of Framingham; provided further, that \$55,000 shall be obligated for a contract with the Outreach Center, Inc., in the city of Pittsfield; provided further, that \$70,000 shall be obligated for a contract with the Montachusett	

	Veterans Outreach Center in the city of Gardner; and provided further, that \$60,000 shall be obligated for a contract with the Holyoke soldiers' home	825,084
	Local Aid Fund..... 100.0%	
1410-0015	For the women veterans' outreach program	25,000
	Local Aid Fund..... 100.0%	
1410-0100	For the elder affairs revenue maximization project, to identify individuals eligible for veterans' pensions who are currently receiving home care and home health services; provided, that the department shall enter into an interagency service agreement with the executive office of elder affairs not later than August 1, 1997 to determine the methods for recovering such pensions.....	95,983
1410-0250	For homelessness services, including the maintenance and operation of homeless shelters and transitional housing for veterans; provided, that not less than \$1,295,000 shall be obligated for a contract with the New England Shelter for Homeless Veterans located in the city of Boston; provided further, that not less than \$225,000 shall be obligated for a contract with the Central Massachusetts Shelter for Homeless Veterans located in the city of Worcester; provided further, that not less than \$325,000 shall be obligated for a contract with the Southeastern Massachusetts Veterans' Housing Program, Inc., located in the city of New Bedford; provided further, that not less than \$198,000 shall be obligated for a contract with the United Veterans of America Shelter in the town of Leeds; provided further, that \$680,000 shall be obligated for the maintenance and operation of a transitional housing unit at the New England Shelter for Homeless Veterans; and provided further, that not less than \$30,000 shall be made available for the operation of transitional housing units for veterans at each of the following centers: the Montachusett outreach center in the city of Gardner, the Springfield Bilingual Veterans' outreach center in the city of Springfield, the Veterans' Benefits Clearinghouse in the Dorchester section of the city of Boston, the Veterans' Northeast outreach center in the city of Haverhill, the Central Massachusetts Shelter for homeless veterans in the city of Worcester and the Nam Vets of the Cape and Islands in the town of Hyannis	2,903,000
1410-0300	For the payment of annuities to certain disabled veterans; provided, that such payments shall be made pursuant to section 6B of chapter 115 of the General Laws; provided, that the department shall take reasonable steps to terminate payments upon the death of a recipient.....	500,000
1410-0400	For reimbursing cities and towns for money paid for veterans' benefits and for payments to certain veterans; provided, that such reimbursements shall be made pursuant to section 6 of chapter 115 of the General Laws; and provided further, that notwithstanding any general or special law to the contrary, the commonwealth shall pay the full	

benefit cost for any resident of a soldiers' home who is not medically involved who has resided in such home for a period of more than one year;..... 8,610,000
Local Aid Fund.....100.0%

1410-0620 For a veterans' cemetery in the town of Agawam 1,700,000
Reserves.

1599-0002 For contributions toward the maintenance of the old provincial state house 75,000

1599-0013 For a reserve for the cities and towns' unemployment health insurance contributions due under section 14G of chapter 151A of the General Laws; provided, that the deputy director of the division of employment and training shall provide to the secretary of administration and finance and the house and senate committees on ways and means quarterly estimates of the contributions due; and provided further, that upon approval of the secretary of administration and finance, the treasurer shall transfer funds from this account to the Medical Security Trust Fund established by section 20 of chapter 118G of the General Laws 3,000,000
Local Aid Fund..... 100.0%

1599-0033 For a reserve to promote departmental revenue optimization projects authorized by and subject to the provisions of section 348 4,000,000
Revenue Maximization Fund 100.0%

1599-0035 For certain debt service contract assistance to the Massachusetts Convention Center Authority in accordance with the provisions of section 39I of chapter 190 of the acts of 1982 24,660,494

1599-0036 For the expenses of the Massachusetts Convention Center Authority 10,374,000
Massachusetts Tourism Fund..... 100.0%

1599-0093 For contract assistance to the water pollution abatement trust for debt service obligations of the trust, in accordance with the provisions of sections 6 and 6A of chapter 29C of the General Laws 28,508,000
Local Aid Fund..... 91.87%
Commonwealth Cost
Relief Fund..... 8.13%

1599-0600 For a reserve to be distributed to the istrict attorneys to investigate and prosecute allegations of abuse of disabled persons; provided, that said reserve shall be distributed pursuant to the recommendations and allocation plan contained in such report as shall be issued not later than September 1, 1997 by the secretary of administration and finance, or his designee, a commissioner of the disabled persons protection commission, who shall be selected by the commissioners, and the president of the Massachusetts District Attorneys Association, or his designee; provided further, that said allocation plan shall be based on a review of the statewide geographic distribution of cases of

	criminal abuse of disabled persons since January 1, 1995; and provided further, that said report shall be provided to the house and senate committees on ways and means; and provided further, that the costs of this item shall not annualize to more than \$500,000 in fiscal year 1999.....	306,667
1599-1013	For the purposes of a study on the effects of welfare reform pursuant to the provisions of section 334 of this act.....	50,000
1599-3175	For a grant to the city of Springfield for the Dunbar Community Center Project, so-called..... Local Aid Fund..... 100.0%	1,200,000
1599-3234	For the Commonwealth's south Essex sewerage district debt service assessment.....	213,326
1599-3856	For rent and associated costs for the Chelsea information technology center..... State Building Management Fund.....100.0%	7,115,000
1599-6896	For a reserve to meet the cost of providing salary increases for direct care employees and supervisory staff earning less than \$30,000 in annual compensation employed by private human service providers that deliver services under contract with departments within the executive office of health and human services and the executive office of elder affairs; provided, that funds from this item may be used for all employee-related costs associated with such salary increases; provided further, that no funds from this item shall be allocated to special education programs under chapter 71B of the General Laws; provided further, that the secretary of administration and finance is hereby authorized to transfer funds from this item to other items of appropriation in order to effectively implement such salary increases; provided further, that not later than September 1, 1997 the operational services division shall develop a plan for the allocation and expenditure of funds from this item that shall ensure that the funds are used solely to implement this initiative; provided further, that no funds shall be allocated or expended from this item until said division files such plan with the executive office of health and human services and the executive office of elder affairs, the budget director, the executive office for administration and finance and the house and senate committees on ways and means; provided further, that such plan shall require that the total fiscal year 1998 cost of the salary adjustments authorized under such plan does not exceed \$15,000,000; and provided further, that such plan shall require that the annualized cost of this initiative does not exceed \$15,000,000	15,000,000
1599-9100	For a reserve for pension costs associated with the local teachers' early retirement program pursuant to section 83 of chapter 71 of the acts of 1993; provided, that the Massachusetts teachers' retirement board shall not later	

than August 15, 1997, certify to the comptroller the amount necessary to meet the cost of said program in the fiscal year ending June 30, 1998 19,358,124

Local Aid Fund..... 100.0%

1599-9952

For the purpose of contracting independent technical advisors to assist communities in evaluating and contributing to the central artery/third harbor tunnel project, including the Charles river crossing; provided, that the executive office for administration and finance may issue a request for proposals for such technical advisor, said contract to be drafted in conjunction with designated representatives from the impacted neighborhoods; provided further, that not less than \$75,000 shall be expended from this item for a technical advisor to the North End/Waterfront area of the city of Boston; provided further, that not less than \$40,000 shall be expended for a technical advisor for the East Boston section of the city of Boston; provided further, that after such a contract for a technical advisor has been awarded, such advisor shall have access to data relative to design and mitigation; and provided further, that such independent technical advisor shall be accountable to and work directly with residents, designated community representatives and organizations of the aforementioned communities in assessing impacts and recommending alternative design modifications to the central artery/third harbor tunnel, prior appropriation continued..... 115,000

Highway Fund..... 100.0%

Division of Human Resources.

1750-0100

For the administration of the division of human resources, including the department of personnel administration, the state office of affirmative action, the office of employee relations; provided, that the department of personnel administration shall be responsible for the administration of examinations for state and municipal civil service titles, establishment of eligible lists, certification of eligible candidates to state and municipal appointing authorities, technical assistance in selection and appointment to state and municipal appointing authorities; provided further, that notwithstanding the provisions of clause (n) of section 5 of chapter 31 of the General Laws or any other general or special law to the contrary, the commissioner of administration shall charge a fee of \$35 to be collected from each applicant for a civil service examination; provided further, that no funds shall be obligated for purposes of executive search programs except any executive search program which may be conducted pursuant to executive order 227 adopted on February 25, 1983, as amended; provided further, that the division shall administer a program of state employee unemployment management, including, but not limited to, agency training and assistance; provided further, that the division shall administer the statewide classification system, including, but not limited to, maintaining a classification pay plan for civil service titles within the

commonwealth in accordance with generally accepted compensation standards, and reviewing appeals for reclassification; provided further, that upon certification of any open competitive list for a public safety position in a city or town, the personnel administrator shall cause to be published in a newspaper of general circulation in a city or town, public notice that such eligible list has been certified along with the notice of the last date to respond to the notice of circulation; provided further, that the secretary of administration and finance shall file with the house and senate committees on ways and means the amounts of any and all economic benefits necessary to fund any incremental cost items contained in any and all collective bargaining agreements with the various classified public employees' unions; and provided further, that the nature and scope of economic proposals contained in said agreements shall include all fixed percentage or dollar based salary adjustments, non-base payments or other forms of compensation, and all supplemental fringe benefits resulting in any incremental costs

5,671,784

1750-0102	The division of human resources is hereby authorized to expend revenues up to a maximum of \$1,200,000 from fees charged as provided herein, for the administration of the civil service examination program by the department and the costs of goods and services rendered in administering training programs; provided, that the division is authorized to collect an administrative fee from vendors at the time they submit proposals for the commonwealth of Massachusetts master service agreement for specialized training and consultation services; provided further, that any vendor which fails to deliver the appropriate administrative fee with its submission shall be deemed nonresponsive and its proposal shall not be considered for contract award; provided further, that the department shall charge any costs incurred in training participants enrolled in programs sponsored by the department; and provided further, that the department is authorized to collect from participating non-state agencies, political subdivisions, and individuals a fee sufficient to cover costs of the commonwealth's performance recognition programs and expend such fees for goods and services rendered in the administration of these programs, including the costs of personnel.....	1,200,000
1750-0111	For the planning and implementation of a civil service continuous testing program	314,600
	Local Aid Fund..... 65.0%	
	General Fund..... 35.0%	
1750-0300	For the purposes of the commonwealth's contributions in fiscal year 1997 to health and welfare funds established pursuant to certain collective bargaining agreements; provided, that said contributions shall be calculated as provided in the applicable collective bargaining agreement, and shall be paid to such health and welfare trust funds on a monthly basis, or on such other basis as the applicable collective bargaining agreement provides	15,207,023

Division of Operational Services.

1775-0100	For the administration of the division; provided, that the commissioner of administration shall ensure that adequate resources are provided from this item for the maintenance of the government center medical unit at the same level as in fiscal year 1997; provided further, that the city of Northampton is hereby authorized and directed to file with the house and senate committees on ways and means a report, together with recommendations for legislation, concerning its negotiations with the Clarke school, so-called, for a program of payments in lieu of taxes or other compensation to be paid by said school to said city for special education costs, including tuition and transportation costs, incurred by the city on behalf of the school; provided further, that upon submission of said report, an amount not to exceed \$535,000 shall be obligated by the treasurer for a one-time payment to the city of Northampton to accommodate costs associated with the presence of the Clarke school in said city.	3,688,574
1775-0600	The division of operational services is hereby authorized to expend revenues collected up to a maximum of \$135,000 from the sale of state surplus personal property, including the payment, expenses and liabilities for the acquisition, warehousing, allocation and distribution of surplus property; provided, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division of operational services may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, including the costs of personnel	135,000
1775-0700	The division of operational services is hereby authorized to expend revenues collected up to a maximum of \$130,000, in addition to the amount authorized in item 1775-1000 of section 2B, for printing, photocopying, related graphic art or design work, and other reprographic goods and services provided to the general public, including all necessary incidental expenses	130,000
1775-0900	Pursuant to chapter 449 of the acts of 1984 and section 4L of chapter 7 of the General Laws, the division of operational services is hereby authorized to expend revenues collected up to a maximum of \$195,578 from the sale of federal surplus property, for the acquisition, warehousing, allocation and distribution of federal surplus property; provided, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division of operational services may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, including the costs of personnel	195,578

Division of Information Technology.

1790-0100	For the administration of the division of information technology; provided, that said division is hereby authorized and directed to schedule expenditures for any software development project or system purchased for which the total budgeted cost will exceed \$500,000; provided further, that said division is hereby authorized and directed to continue a chargeback system for its bureau of computer services which complies with the requirements of section 2B of this act; provided further, that said division shall continue conducting audits and surveys to identify and realize savings in the acquisition and maintenance of communications lines; provided further, that any revenue or reimbursements generated or received pursuant to this item shall be deposited into the General Fund; provided further, that all state departments and agencies shall participate or assist in such audits and surveys as directed by the commissioner of administration; provided further, that for the purpose of conducting such audits and surveys, the commissioner may enter into agreements with one or more private persons, companies, associations, or corporations; provided further, that any such agreement shall put forth the manner in which compensation for such services shall be paid, including payment of a portion of, and only on receipt of, reimbursements from providers of communications services and equipment as a result of savings identified pursuant to this item; provided further, that the commissioner shall file an annual status report with the house and senate committees on ways and means by May 15, 1998 with actual and projected savings and expenditures for said audits in the fiscal year ending June 30, 1998; and provided further, that the state comptroller shall establish accounts and procedures as he deems appropriate and necessary to assist in accomplishing the purposes of this item.....	7,588,991
1790-0105	For the telecommunication lease to purchase costs associated with the replacement of the Massachusetts state lottery commission's computer system..... Local Aid Fund..... 100.0%	7,101,201
1790-0300	The division of information technology is hereby authorized to expend up to a maximum of \$1,439,045 in revenues collected from the provision of computer resources and services to the general public for the costs of the bureau of computer services, including the purchase, lease or rental of telecommunications lines, services and equipment	1,439,045
1790-0600	For the operation of the commonwealth's data warehouse.....	375,319

**EXECUTIVE OFFICE OF
ENVIRONMENTAL AFFAIRS.**

*Office of the Secretary.***State Appropriations**

2000-0100	For the office of the secretary, including the water resources commission, the hazardous waste facility site safety
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council, coastal zone management, the review of environmental impact reports pursuant to chapter 30 of the General Laws, a geographic information system for environmental data in Massachusetts, mosquito-borne disease vector control, and a central data processing center for the secretariat; provided, that not less than \$200,000 shall be expended on a program of coastal resources monitoring and restoration focusing on all coastal regions of the commonwealth; provided further, that said program shall include technical assistance through the Massachusetts bays program, so-called; provided further, that not less than \$80,000 shall be expended for conservation districts; provided further, that the secretary of the executive office of environmental affairs is hereby authorized to enter into interagency agreements with any state agency within the executive office of environmental affairs whereby the agency may render data processing services to said secretary; provided further, that not less than \$55,000 shall be expended for printing of the Massachusetts environmental policy act monitor; provided further, that the comptroller is hereby authorized to allocate the costs for such data processing services to the several state and other funds to which items of appropriation of such agencies are charged; and provided further, that not more than \$399,094 of the funds appropriated herein may be expended until the plan directed in section 583 of chapter 151 of the acts of 1996 is submitted to the joint committee on natural resources and the house and senate committees on ways and means.....

2,394,567

General Fund 60.0%
Local Aid Fund..... 40.0%

2001-1001

The secretary of environmental affairs may expend an amount not to exceed \$200,000 accrued from the rendering of data processing services to state agencies, authorities and units of government within the commonwealth, the distribution of digital cartographic and other data, and the review of environmental notification forms pursuant to the Massachusetts environmental policy act.....

200,000

2010-0100

For recycling and related purposes consistent with the recycling plan of the solid waste master plan which includes municipal equipment grants, a municipal recycling incentive program, recycled product procurement, guaranteed annual tonnage assistance, recycling transfer stations, source reduction and technical assistance, consumer education and participation campaign, municipal household hazardous waste program, the recycling loan program, research and development, recycling market development and recycling business development, and the operation of the Springfield materials recycling facility; provided, that not less than \$100,000 shall be expended for a public education campaign to encourage participation in existing curbside pick-up recycling programs in the city of Boston; provided further, that \$1,371,333 shall be expended for the recycling loan fund; provided further, that not less than \$700,000 shall be expended for business assistance

	and research and development, including, the strategic envirotechnology partnership, so-called; provided further, that not less than \$500,000 of the amount appropriated herein shall be expended for a recycling industry reimbursement program pursuant to section 299; and provided further, that the secretary of environmental affairs shall prepare a strategic plan to assess and evaluate the supply of recyclable materials and demand of recyclable materials, and promote the use of recyclable materials in manufacturing and production pursuant to section 339	7,000,000
	Clean Environment Fund 100.0%	
2020-0100	For toxics use reduction technical assistance and technology, in accordance with the provisions of chapter 211 of the General Laws	1,797,464
	Toxics Use Reduction Fund100.0%	
2060-0100	For the purpose of implementing the management plan adopted pursuant to section 12 of chapter 111H of the General Laws and for carrying out the powers and duties conferred to the program by said chapter 111H; provided, that a report shall be submitted to the house and senate committees on ways and means on or before November 1, 1997 detailing expenditures from the prior year; and provided further, that no money shall be expended from this item after November 1, 1997 until such report has been filed with the house and senate committees on ways and means	426,164
	Low Level Radioactive Waste Management Fund 100.0%	
Federal Appropriations		
2000-0140	For the purposes of a federally funded grant entitled, Ecosystem Protection Coastal Zone Management	54,667
2000-0141	For the purposes of a federally funded grant entitled, Coastal Zone Management Development	2,261,000
2000-0148	For the purposes of a federally funded grant entitled, Massachusetts Bay National Estuary Project	33,161
2000-0161	For the purposes of a federally funded grant entitled, Thermo Trex Corporation	225,000
2000-0162	For the purposes of a federally funded grant entitled, Pollution Prevention by Autobody Shops	18,750
2000-0163	For the purposes of a federally funded grant entitled, Pollution Prevention Outreach for Dry Cleaners	15,000
2000-0164	For the purposes of a federally funded grant entitled, Brittany Dyeing and Printing Corporation	212,500
2000-9736	For the purposes of a federally funded grant entitled, Buzzards Bay Project Management Plan	273,589
2000-9737	For the purposes of a federally funded grant entitled, Buzzards Bay Project Wetlands Protection	51,466

2000-9738	For the purposes of a federally funded grant entitled, Buzzards Bay Project Environmental Technology Agreement.....	148,000
2000-9760	For the purposes of a federally funded grant entitled, Inventory of Navy Shipwrecks	3,000
2030-9701	For the purposes of a federally funded grant entitled, Outdoor Recreation Projects	699,186

Department of Environmental Management.

State Appropriations

2100-0005	For the department of environmental management pursuant to the purposes of sections 10½A of chapter 91 of the General Laws; provided, that \$60,000 shall be expended for the Martha's Vineyard commission; provided further, that not more than \$30,000 shall be expended for the planning and engineering of a dredging project of the Wareham river; provided further, that not less than \$1,000,000 shall be expended for the continuation of the Hardy pond restoration in the city of Waltham, including dredging; provided further, that \$200,000 shall be expended for the restoration and protection of Chandler pond in Brighton, including but not limited to dredging; provided further, that not less than \$200,000 shall be expended for direct removal of debris, obstructions, and siltation in the Aberjona river located in Winchester; and provided further, that the department shall expend not more than \$75,000 to inspect the dams in the towns of Carver, Halifax, Plympton, and Middleborough; and provided further, that \$150,000 shall be made available from this item for the restoration of Milford pond a/k/a Cedar Swamp pond in Milford; provided furether, that not less than \$100,000 shall be expended for costs associated with the dredging and reclamation of Pillings pond in the town of Lynnfield	2,856,121
	Harbors and Inland Water	
	Maintenance Fund	100.0%
2100-1000	For the administration of the department of environmental management; provided, that that not more than \$367,631 of the funds appropriated herein may be expended until the plan directed in section 583 of chapter 151 of the acts of 1996 is submitted to the joint committee on natural resources and the house and senate committees on ways and means	2,178,219
	Local Aid Fund.....	100.0%
2100-2002	The department is hereby authorized to expend \$75,000 from revenues received from interstate fire fighting services authorized under section 44 of chapter 138 of the acts of 1991; provided, that the department may expend from this item an amount equal to the costs of overtime and shift hours worked by employees of the department and the metropolitan district commission from reimbursements collected from the federal government for the costs of interstate fire fighting; provided further, that the depart-	

ment shall allocate such amounts to the metropolitan district commission for such purposes; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, said department and commission may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system

75,000

2100-2030

For the recreational and resource conservation operations of the department; provided, that funds appropriated herein shall be used to operate all of the department's parks, heritage state parks, reservations, campgrounds, beaches, and pools, and for the oversight of rinks; provided further, that funds appropriated herein shall be used to protect and manage the department's lands and natural resources including the forest and parks conservation services and the bureau of forestry developments; provided further, that \$35,000 shall be expended for a supervisor at Lake Whitehall in Hopkinton; provided further, that not less than \$15,000 shall be expended on the preparation and distribution of campground directories; provided further, that no funds from this item shall be made available for payment to true seasonal employees, so-called; provided further, that the department of environmental management shall enter into a grant with the city of Newburyport for \$10,000 for the completion of purchase and installation of three new floats, so-called, in the Merrimack river in the city of Newburyport; provided further, that not less than \$125,000 shall be obligated for the Schooner Ernestina commission; provided further, that said commission shall submit a management plan to the house and senate committees on ways and means; provided further, that said plan shall be submitted no later than April 1, 1998; provided further, that \$52,500 shall be expended for phase two, so-called, for the improvement and preservation of the Craigville pond and Centerville river system, known as the red lily pond restoration project; provided further, that the department shall enter into contracts with the red lily pond project association; and provided further, that the department shall expend \$180,000 for the purchase of a brush breaker, so-called, to be used for the state parks located in the town of Plymouth.....

19,037,918

2100-2040

For additional expenses, upkeep, and improvements to the department of environmental management's parks and recreation system, including an internship program for students at the university of Massachusetts Stockbridge school of forestry or other academic institutions providing similar training and education programs in forestry, recreation, natural resources, watershed management, or fire science; provided, that not less than \$50,000 shall be expended for the promotion of tourism in the city of Fall River, including the Fall River heritage state park; provided further, that such funds shall be administered by the city of Fall River; provided further, that the department

shall hire an additional laborer II position and two laborer I positions at the Wachusett mountain state reservation; and provided further, that the department shall expend an additional \$235,000 for Maudslay state park, including staff, maintenance and capital needs..... 2,500,000
 Second Century Fund 100.0%

2100-2045 For the one time inventory of the department of environmental management's state forest system..... 200,000

2100-3010 For the summer and fall seasonal hires of the department, including hires for the fire control unit; provided, that the same number of lifeguards shall be assigned to Salisbury beach in fiscal year 1998 as were assigned to said beach in fiscal year 1997; provided further, that no funds shall be expended from this item for year-round seasonal employees, so-called; provided further, that notwithstanding the provisions of any general or special law or collective bargaining contract to the contrary, seasonal employees funded herein who are not presently covered by a collective bargaining agreement shall not be considered employees as defined in and for the purposes of chapter 150E of the General Laws or as defined in any collective bargaining agreement; and provided further, that seasonal employees of the department of environmental management who are hired prior to the second Sunday before Memorial Day and whose employment continues beyond the Saturday following Labor Day and who received health insurance benefits in fiscal year 1997 shall continue to receive such benefits in fiscal year 1998 . 3,302,547
 Local Aid Fund..... 90.0%
 Highway Fund 10.0%

2100-3011 For the winter and spring seasonal hires of the department, including hires for the fire control unit; provided, that no funds shall be expended from this item for year-round seasonal employees, so-called; provided further, that notwithstanding the provisions of any general or special law or collective bargaining contract to the contrary, seasonal employees funded herein who are not presently covered by a collective bargaining agreement shall not be considered employees as defined in and for the purposes of chapter 150E of the General Laws or as defined in any collective bargaining agreement; and provided further, that seasonal employees of the department of environmental management who are hired prior to the second Sunday before Memorial Day and whose employment continues beyond the Saturday following Labor Day and who received health insurance benefits in fiscal year 1997 shall continue to receive such benefits in fiscal year 1998 . 1,218,032
 Local Aid Fund..... 90.0%
 Highway Fund 10.0%

Federal Appropriations

2100-9721 For the purposes of a federally funded grant entitled, Connecticut River Valley & National Park Service..... 15,000
 2120-9702 For the purposes of a federally funded grant entitled, Rural Community Fire Protection 16,000

2120-9707	For the purposes of a federally funded grant entitled, Urban and Community Forestry	90,000
2120-9708	For the purposes of a federally funded grant entitled, Improved Wood Utilization	11,280
2121-9705	For the purposes of a federally funded grant entitled, United States Forest Service Shade Tree and Health	371,402
2121-9709	For the purposes of a federally funded grant entitled, Forestry Planning	62,432
2121-9711	For the purposes of a federally funded grant entitled, United States Forest Service Rural Fire Prevention	150,000
2121-9712	For the purposes of a federally funded grant entitled, Forest Health Research	19,645
2121-9714	For the purposes of a federally funded grant entitled, Resource Conservation and Development	18,000
2121-9716	For the purposes of a federally funded grant entitled, Agriculture Conservation Program	10,000
2121-9718	For the purposes of a federally funded grant entitled, Forestry Incentives Program	3,000
2121-9719	For the purposes of a federally funded grant entitled, Wood in Transportation Project - United States Forest Service	10,000
2121-9722	For the purposes of a federally funded grant entitled, Forest Resource Management- United States Forest Service	24,563
2121-9726	For the purposes of a federally funded grant entitled, Forest Health Management -United States Forest Service	18,000
2121-9728	For the purposes of a federally funded grant entitled, Forest Health Monitoring - United States Forest Service	13,000
2121-9730	For the purposes of a federally funded grant entitled, North American Maple Project -United States Forest Service	8,500
2121-9750	For the purposes of a federally funded grant entitled, Insect Disease Control-Gypsy Moth Suppression	35,000
2130-9705	For the purposes of a federally funded grant entitled, SUASCO Watershed Flood Control Reservoir	30,635
2140-9709	For the purposes of a federally funded grant entitled, WBNERR Operation and Management	110,050
2140-9710	For the purposes of a federally funded grant entitled, WBNERR exhibits and renovations	28,054

Department of Environmental Protection.

State Appropriations

2200-0100	For the administration of the department, including the division of water pollution control, the division of water supply, the division of solid waste, the division of hazardous waste, the division of wetlands and waterways, the division of air quality control, the Wall experimental station, and a contract with the university of Massachusetts for environmental research, notwithstanding the provisions of section 323F of chapter 94 of the General Laws;
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provided, that the provisions of section 3B of chapter 7 of the General Laws shall not apply to fees established pursuant to section 18 of chapter 21A of the General Laws; provided further, that enactment of the appropriations made available by this act to the department shall be deemed a determination, pursuant to subsection (m) of section 18 of chapter 21A of the General Laws; provided further, that said appropriations for ordinary maintenance of said department from state funds other than the environmental challenge fund and the environmental permitting and compliance assurance fund are comparable to the baseline figure, as defined in said subsection, based on inflation, the department's demonstrated program improvements and efficiencies in areas other than those supported by fees and added or reduced programmatic responsibilities of the department; provided further, that not more than \$535,000 shall be expended for technical assistance to communities to comply with provisions of Title V; provided further, that not less than \$250,000 shall be allocated to the Massachusetts military reservation environmental technology center, so-called, pursuant to section 252 of chapter 38 of the acts of 1995; and provided further, that the department shall submit a report to the house and senate committees on ways and means on or before October 1, 1997 detailing the number of full-time equivalent positions assigned to environmental permitting functions and the number of full-time equivalent positions assigned to compliance inspections and environmental enforcement activities; and provided further, that not less than \$14,000 shall be expended for a study of connecting certain homes in the town of Mendon to the water supply of said town in recognition of pollution to other available water supplies.....

24,070,229

General Fund 56.58%
Environmental Permitting and
Compliance Fund 31.00%
Clean Environment Fund 12.42%

2200-1111

For the energy costs and space rental expenses of the department of environmental protection.....

4,184,757

General Fund 69.0%
Environmental Permitting and
Compliance Fund 31.0%

2210-0100

For the implementation and administration of chapter 21I of the General Laws; provided, that the department shall submit a report to the house and senate committees on ways and means on or before October 1, 1997 detailing the status of the department's progress in meeting the statutory and regulatory deadlines associated with said chapter 21I and detailing the number of full-time equivalent positions assigned to various implementation requirements of said chapter 21I

970,182

Toxic Use Reduction Fund 100.0%

2220-2205	For the administration and implementation of the federal Clean Air Act, including the operating permit program, the emissions banking program, the auto related state implementation program, the low emission vehicle program, and the non-auto related state implementation program, so-called.....	2,034,641
	Clean Air Act	
	Compliance Fund.....100.0%	
2250-2000	For the purposes of state implementation of the federal Safe Drinking Water Act pursuant to section eighteen 18A of chapter 21A of the General Laws; provided, that \$125,000 shall be expended for the Massachusetts water watch partnership, so-called	1,878,137
	Safe Drinking Water	
	Act Fund.....100.0%	
2260-8870	For the expenses of the hazardous waste cleanup and underground storage tank programs, notwithstanding the provisions of section 323F of chapter 94 of the General Laws and section 2K of chapter 29 of the General Laws and section 4 of chapter 21J of the General Laws; provided, that not less than \$25,000 shall be expended for the sea change project, so-called, in the evaluation and development of innovative technologies for hazardous waste remediation, brownfields development and ecosystem recovery associated with the Superfund cleanup of the New Bedford Harbor; provided further, that the department shall submit a report to the house and senate committees on ways and means on or before October 1, 1997 detailing the number of full-time equivalent positions assigned to tier IA, tier IB, tier IC and tier II projects	14,185,981
	Clean Environment Fund..... 43.74%	
	Environmental Challenge Fund 35.00%	
	General Fund..... 8.55%	
	Local Aid Fund..... 8.55%	
	Underground Storage Tank	
	Petroleum Product	
	Cleanup Fund 4.16%	
2260-8881	For the administration and operations of the board of registration of hazardous waste site cleanup professionals, notwithstanding the provisions of section 19A of chapter 21A of the General Laws	281,836
	Environmental Challenge Fund 100.0%	

Federal Appropriations

2200-9705	For the purposes of a federally funded grant entitled, Underground Water Source Protection Program	10,000
2200-9706	For the purposes of a federally funded grant entitled, Water Quality Management Planning	150,000
2200-9709	For the purposes of a federally funded grant entitled, Massachusetts Multi-Site Cooperative Agreement	351,129
2200-9712	For the purposes of a federally funded grant entitled, Cooperative Agreement-Leaking Underground Storage Tank Program.....	632,221

2200-9715	For the purposes of a federally funded grant entitled, Core Cooperative Agreement CERCLA Implementation Support.....	115,683
2200-9717	For the purposes of a federally funded grant entitled, D.O.D. Environment Restoration.....	1,223,279
2200-9721	For the purposes of a federally funded grant entitled, Charles George Landfill - Operable Unit III Operations and Maintenance.....	42,865
2200-9722	For the purposes of a federally funded grant entitled, Baird and McGuire	790,000
2200-9723	For the purposes of a federally funded grant entitled, Federal/State Waste Removal and Site Assessment Programs	346,516
2200-9724	For the purposes of a federally funded grant entitled, Superfund Block Fund Cooperative Agreement	900,000
2230-9702	For the purposes of a federally funded grant entitled, Performance Partnership Grant	9,925,568
2230-9703	For the purposes of a federally funded grant entitled, Pilot Project to Support DEP Efforts to Develop One-Stop Reporting for Environmental Data	200,000
2240-9707	For the purposes of a federally funded grant entitled, 1991 Water Pollution Control Program.....	10,000
2240-9709	For the purposes of a federally funded grant entitled, Clean Lakes Program	30,253
2240-9710	For the purposes of a federally funded grant entitled, State Management Assistance Grant	200,000
2240-9719	For the purposes of a federally funded grant entitled, Lake Water Quality Assessment	7,420
2240-9721	For the purposes of a federally funded grant entitled, Water Quality/NPDES Implementation	26,800
2240-9723	For the purposes of a federally funded grant entitled, Non-Point Source Implementation	16,500
2240-9725	For the purposes of a federally funded grant entitled, Non-Point Source Management Plan (319H-3)	21,000
2240-9726	For the purposes of a federally funded grant entitled, Non-Point Source Pollution.....	271,702
2240-9727	For the purposes of a federally funded grant entitled, Non-Point Source Pollution (319h)	200,000
2240-9728	For the purposes of a federally funded grant entitled, Non-Point Source Pollution Management Plan (319h-7).....	200,000
2240-9733	For the purposes of a federally funded grant entitled, Public Outreach (104b-3)	9,775
2240-9735	For the purposes of a federally funded grant entitled, Blackstone Sewer/Storm-water Combined	15,500

2240-9736	For the purposes of a federally funded grant entitled, Clean Water Strategy/NPDES (104B(3)).....	75,000
2240-9737	For the purposes of a federally funded grant entitled, 401 Regulation Development (104b-3)	4,800
2240-9740	For the purposes of a federally funded grant entitled, NPDES Related State Program Costs (104b-3) 94 Funds	72,900
2240-9742	For the purposes of a federally funded grant entitled, Wetlands Protection - Circuit Rider 2	2,100
2240-9743	For the purposes of a federally funded grant entitled, Wetlands Delineation Methods	91,000
2240-9744	For the purposes of a federally funded grant entitled, Water Resource Protection Strategy (104b-3).....	144,000
2240-9745	For the purposes of a federally funded grant entitled, Buffer Zone (104b-3)	27,500
2240-9746	For the purposes of a federally funded grant entitled, BVW Delineation Training Video (104b-3)	57,000
2240-9747	For the purposes of a federally funded grant entitled, Docks and Piers (104b-3).....	80,000
2240-9748	For the purposes of a federally funded grant entitled, 401 Permits (104b-3)	275,000
2240-9749	For the purposes of a federally funded grant entitled, Water Quality Cooperative Grants (104b-3)	60,000
2240-9751	For the purposes of a federally funded grant entitled, UIC-Water Server Project	50,000
2250-9701	For the purposes of a federally funded grant entitled, Public Water Supply Supervision Program	10,000
2250-9709	For the purposes of a federally funded grant entitled, Environmental Technology Initiative	50,000

*Department of Fisheries, Wildlife, and
Environmental Law Enforcement.*

State Appropriations

2300-0100	For the office of the commissioner	546,318
	General Fund	62.5%
	Environmental Law Enforcement Fund	12.5%
	Marine Fisheries Fund	12.5%
	Public Access Fund	12.5%
2300-0101	For a program of riverways protection, restoration, and promotion of public access to rivers; provided, that the positions funded herein shall not be subject to the provisions of chapter 31 of the General Laws.....	223,331
	Public Access Fund	100.0%
2300-0104	For the purpose of the development of a conservation engineering program to promote the development of alternative species fisheries through the development, testing and monitoring of new fishing gear and fishing techniques; provided, however, that the department of fisheries, wildlife and environmental law enforcement shall conduct	

research on gear modifications that will reduce the risk of entanglement of northern right whales and other protected species; and provided further, that said department shall provide funding to support emergency research and management measures in the coastal waters of the commonwealth necessitated by the presence of northern right whales during the months of May to December 110,000

Federal funds received as reimbursements for expenditures from the following items shall be credited as income to the Inland Fisheries and Game Fund.

2310-0200	For the administration of the division of fisheries and wildlife, including expenses of the fisheries and wildlife board, the administration of game farms and wildlife restoration projects, for wildlife research and management, the administration of fish hatcheries, the improvement and management of lakes, ponds and rivers, for fish and wildlife restoration projects, the commonwealth's share of certain cooperative fishery and wildlife programs, and for certain programs reimbursable under the federal aid to fish and wildlife restoration act; provided, that an amount shall be used by the university of Massachusetts at Amherst for the purposes of wildlife and fisheries research; provided further, that the university of Massachusetts at Amherst shall receive no more than the amount received in fiscal year 1997 for said research; provided further, that expenditures for such programs shall be contingent upon prior approval of proper federal authorities for reimbursement of at least 75 per cent of the amount expended; provided further, that not more than \$200,000 of the sum appropriated herein may be obligated for a program of acid rain monitoring; and provided further, that \$40,000 shall be expended to implement the provisions of item 2310-8960 of section 2 of chapter 15 of the acts of 1996 6,696,316
	Inland Fisheries and Game Fund 100.0%
2310-0316	For the purchase of land containing wildlife habitat and for the costs of the division of fisheries and wildlife directly related to the administration of the wildlands stamp program pursuant to sections 2 and 2A of chapter 131 of the General Laws 2,000,000
	Inland Fisheries and Game Fund 100.0%
2310-0317	For the waterfowl management program pursuant to section 11 of chapter 131 of the General Laws..... 85,000
	Inland Fisheries and Game Fund 100.0%
2310-0500	For the expenses of a state funded program for natural heritage and environmental assessment 201,232
	Inland Fisheries and Game Fund 50.0% Natural Heritage and Endangered Species Fund 50.0%

2315-0100	For the administration of a program of non-game management and research.....	424,378
	General Fund 75.0%	
	Natural Heritage and	
	Endangered Species Fund 25.0%	
2320-0100	For the administration of the public access board; provided, that positions funded herein shall not be subject to the provisions of chapter 31 of the General Laws	234,104
	Public Access Fund 100.0%	
2320-0200	For the maintenance, operation, acquisition, and improvement of public access land and water areas, as authorized by section 17A of chapter 21 of the General Laws.....	600,000
	Public Access Fund 100.0%	
2330-0100	For the administration and operation of the division of marine fisheries, including expenses of the Annisquam River marine research laboratory, marine research programs, a commercial fisheries program, a shellfish management program, including coastal area classification, mapping, and technical assistance, and for the operation of the Newburyport shellfish purification plant and shellfish classification program; provided, that \$300,000 shall be expended on a recreational fisheries program to be reimbursed by federal funds; provided further, that the Newburyport shellfish purification plant shall generate not less than \$115,000 from purification fees; and provided further, that not less than \$100,000 shall be expended for the joint operation of a shellfish propagation program on Cape Cod between the division and the Cape Cod economic development council	3,752,764
	Marine Fisheries Fund 100.0%	
2330-0120	For the division of marine fisheries of the department of fisheries, wildlife, and environmental law enforcement for a program of enhancement and development of marine recreational fishing and related programs and activities, including the cost of equipment maintenance, staff, and the maintenance and updating of data	660,627
	Marine Fisheries Fund 100.0%	
2330-0121	For the division of marine fisheries to utilize a one time wind-fall of reimbursable federal sportfish restoration funds to further develop marine recreational fishing and related programs, including the costs of activities that increase public access for marine recreational fishing, support research on artificial reefs, and otherwise provide for the development of marine recreational fishing; provided, that not less than \$80,000 shall be expended for the research on artificial reefs; provided further, that the division of marine fisheries is hereby authorized to expend revenues up to \$467,000 collected from federal sportfish restoration funds and from the sale of materials which promote marine recreational fishing; and provided further, that this expenditure shall generate an additional \$350,000 reimbursement from the federal sportfish restoration program to the marine fisheries fund	467,000
	Marine Fisheries Fund 100%	

2350-0100	For the administration and operations of the division of environmental law enforcement; provided, that each county in the commonwealth shall be assigned at least one full time environmental officer; provided further, that officers shall be assigned to vacant patrol districts and shall provide monitoring pursuant to the national shellfish sanitation program; and provided further, that not more than \$20,000 shall be expended on the continued expansion of the communications network to join a statewide communications system with the executive office of public safety	8,941,061
	Environmental Law	
	Enforcement Fund	50.0%
	Inland Fisheries and	
	Game Fund	15.0%
	Highway Fund	15.0%
	General Fund	20.0%
2350-0101	For the hunter safety training program	300,000
	Inland Fisheries and	
	Game Fund	100.0%
2350-0104	For environmental police private details, so-called; provided, that the division is hereby authorized to expend revenues collected up to \$250,000 from fees charged for private details	250,000
	Environmental Law	
	Enforcement Fund	100.0%

Federal Appropriations

2330-0103	For the purposes of a federally funded grant entitled, Urban Rivers Action (EPA)	3,000
2300-9885	For the purposes of a federally funded grant entitled, SUASCO Scenic River	12,000
2300-9888	For the purposes of a federally funded grant entitled, Urban Rivers Action Program	10,000
2330-9889	For the purposes of a federally funded grant entitled, Shoreline Surveys (EPA)	2,000
2315-9703	For the purposes of a federally funded grant entitled, Protection of Flood Plain Forests and Significant Wetlands	30,146
2315-9705	For the purposes of a federally funded grant entitled, Vernal Pools Project	4,803
2315-9706	For the purposes of a federally funded grant entitled, Riverlines Project	16,000
2315-9707	For the purposes of a federally funded grant entitled, Coastal Ponds and Peat Lands Projects	13,881
2315-9708	For the purposes of a federally funded grant entitled, Hyannis Ponds Biohydrology Phase II Project	14,000
2330-9222	For the purpose of a federally funded grant entitled, Clean Vessel	833,945
2330-9709	For the purposes of a federally funded grant entitled, Commercial Fisheries Research	50,000

2330-9712	For the purposes of a federally funded grant entitled, Commercial Fisheries Statistics	406,000
2330-9714	For the purposes of a federally funded grant entitled, Commercial Fisheries Extension	50,000
2330-9721	For the purposes of a federally funded grant entitled, Anadromous Fisheries Management.....	60,000
2340-9701	For the purposes of a federally funded grant entitled, Safe Boating Program	550,000

Metropolitan District Commission.

State Appropriations

2410-1000	For the administration of the commission; provided, that the commission shall enter into an interagency agreement with the department of state police to provide police coverage on commission properties and parkways; provided further, that said department shall reimburse the commission for costs incurred by the commission including, but not limited to, maintenance and repairs to the department's vehicles, the operation of buildings in which said department resides, and other related costs; provided further, that notwithstanding the provisions of section 3B of chapter 7 of the General Laws the commission is hereby authorized and directed to establish or re-negotiate fees, licenses, permits, rents and leases, and to adjust or develop other revenue sources to fund the maintenance, operation, and administration of the commission; provided further, that an annual report shall be submitted to the house and senate committees on ways and means regarding fee adjustments not later than February 13, 1998; provided further, that notwithstanding the provisions of any administrative bulletin, general or special law to the contrary, the department shall not pay any fees charged for the leasing or maintenance of vehicles to the operational services division; provided further, that no funds shall be expended for personnel overtime costs; and provided further, that that not more than \$226,225 of the funds appropriated herein may be expended until the plan directed in section 583 of chapter 151 of the acts of 1996 is submitted to the joint committee on natural resources and the house and senate committees on ways and means.....	1,333,580
	Local Aid Fund.....	75.0%
	Highway Fund	25.0%

2410-1001	The commission is hereby authorized to expend \$100,000 for the operation and maintenance of the commission's telecommunications system from revenues received from the Massachusetts water resources authority, the Massachusetts convention center authority, the department of highways central artery/third harbor tunnel project, so-called, the department of state police, and quasi-public and private entities through a system of user fees and other charges established by the commissioner; provided, that nothing in this section shall impair or diminish the rights of access and utilization of all current users of the system pursuant to agreements which have been entered into with
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the commission; and provided further, that this item may be reimbursed by political subdivisions of the commonwealth and private entities for direct and indirect costs expended by the commission to maintain said telecommunications system.....

100,000

2420-1400

For the watershed management program to operate and maintain reservoirs, watershed lands, and related infrastructure of the commission; provided, that expenses incurred in other commission programs to assist the watershed management program may be charged to this item; provided further, that no water shall be diverted from the Connecticut river by the metropolitan district commission or the Massachusetts water resources authority; provided further, that \$500,000 shall be paid to the town of Clinton, pursuant to section 8 of chapter 307 of the acts of 1987, to compensate for the use of certain land; provided further, that the amount of said payment shall not be included in the amount of the annual determination of fiscal year charges to the Massachusetts water resources authority assessed to said authority under section 113 of chapter 92 of the General Laws; provided further, that a work crew shall be made available at the Sudbury reservoir for maintenance of said reservoir; and provided further, that not less than 13 rangers shall be assigned to patrol watershed areas

11,380,046

Watershed Management Fund..... 95.61%
Local Aid Fund..... 4.39%

2440-0010

For the administration, operation and maintenance of the metropolitan district commission parks and recreation division, for the maintenance, operation, and related costs of the parkways, boulevards, roadways, bridges and related appurtenances under the care, custody, and control of the commission, for the flood control activities of said commission, and for the purchase of all necessary supplies and related equipment; provided, that no funding shall be made available from this item for true seasonal employees, so-called; provided further, that not less than \$37,482 shall be expended for additional personnel in the Fells Reservation; provided further, that not less than \$50,000 shall be expended for maintenance and repairs to Pine Banks Park; provided further, that not less than \$842,994 shall be expended for expenses of the State House Park Rangers, including the cost of personnel; provided further, that notwithstanding the provisions of any general or special law to the contrary, all offices and positions shall be subject to classification under sections 45 to 50, inclusive, of chapter 30 of the General Laws; provided further, that no less than \$25,000 shall be expended for Ginn field, including the installation of safety fences in front of player benches and spectator stands and the replacement of stands, backstop and fences; provided further, that not less than \$50,000 shall be expended for improvements to Bellevue reservation in West Roxbury, including, but not limited to, ranger patrols of said reservation, lighting and irrigation; provided further, that not

	less than \$25,000 shall be expended for algae and weed treatment of the upper mystic lakes; provided further, that \$10,000 shall be expended for payments to the Charles River Watershed Association for testing of fecal coliform levels in the Charles river and the posting of warning flags to indicate unsafe levels of contamination; provided further, that \$100,000 shall be expended for the repairs or replacement of the rink bed, so-called, at the veterans rink in the city of Somerville; provided further, that not less than \$2,700,000 shall be expended for the Dilboy complex, so-called, in the city of Somerville; and provided further, that not less than \$150,000 shall be expended for the costs associated with the management of aquatic non-native plants in the Charles river lakes district, including treatment and monitoring	28,089,311
	Highway Fund	60.0%
	Local Aid Fund	40.0%
2440-0045	For payment to the city of Boston for maintenance and operation of the James Michael Curley recreation center	300,000
	Local Aid Fund	100.0%
2440-1000	The metropolitan district commission may expend an amount not to exceed \$100,000 from revenue generated pursuant to section 34B of chapter 92 of the General Laws	100,000
2440-1202	For the civilianization of crossing guards located at metropolitan district commission intersections where state police personnel previously performed such duties.....	220,000
2440-2000	For the expenses of snow and ice control on the metropolitan district commission parkways, including the costs of personnel	569,796
	Highway Fund	100.0%
2440-3000	For the extended rink season, including the costs of personnel	498,750
	Local Aid Fund	100.0%
2440-3001	The metropolitan district commission is authorized and directed to expend an amount not to exceed \$273,506 from skating rink fees and rentals for the operation and maintenance, including personnel costs of four rinks between September 1, 1997 and April 30, 1998 as an expanded and extended rink season	273,506
2440-4000	For the operation of the Ponkapoag golf course including maintenance, equipment, and capital improvements pursuant to section 2U of chapter 29 of the General Laws . Ponkapoag Recreational Fund	698,990
		100.0%
2440-4500	For the maintenance and operating expenses of the Leo J. Martin golf course, including the costs of year round and true seasonal employees, so-called, pursuant to section 2II of chapter 29 of the General Laws.....	476,572
	Leo J. Martin Recreational Fund	100.0%

2440-5000	For the summer and fall seasonal hires of the commission; provided, that no funds appropriated herein shall be used for year-round seasonals, so-called; provided further, that notwithstanding the provisions of any general or special law or collective bargaining contract to the contrary, seasonal employees funded herein who are not presently covered by a collective bargaining agreement shall not be considered employees as defined in and for the purposes of chapter 150E of the General Laws or as defined in any collective bargaining agreement	2,329,924
	Highway Fund	60.0%
	Local Aid Fund.....	40.0%
2440-6000	For the winter and spring seasonal hires of the commission; provided, that no funds appropriated herein shall be used for year-round seasonals, so-called; provided further, that notwithstanding the provisions of any general or special law or collective bargaining contract to the contrary, seasonal employees funded herein who are not presently covered by a collective bargaining agreement shall not be considered employees as defined in and for the purposes of chapter 150E of the General Laws or as defined in any collective bargaining agreement	530,267
	Highway Fund	60.0%
	Local Aid Fund.....	40.0%
2443-2000	For the operation and administration of the commonwealth zoological corporation, pursuant to chapter 92A of the General Laws; provided, that said corporation shall take the necessary steps to increase the amount of private funding available for the operation of the zoos under their custody; and provided further, that said corporation shall continue to provide free services and supplies, including, but not limited to, routine animal check-ups, diagnosis and care, emergency veterinary needs, medications and medical supplies, vitamins and diet supplements and Zoo Prem feline diet, to the trailside museum and the Chickatawbut Hill center in the town of Milton	6,000,000
	Local Aid Fund.....	100.0%
2444-9001	For the construction, reconstruction, and improvement of boulevards, parkways, bridges, and related appurtenances under the care, custody, and control of the commission	877,432
	Highway Fund	100.0%
2444-9004	For certain payments for the maintenance and use of the trailside museum and the Chickatawbut Hill center	350,000
	Local Aid Fund.....	100.0%
2444-9005	For street lighting on metropolitan district commission parkways	2,400,000
	Highway Fund	100.0%
2460-1000	For the construction division; provided, that notwithstanding the provisions of any general or special law to the contrary, all offices and positions of the division shall be subject to classification under sections 45 to 50, inclusive, of chapter 30 of the General Laws	2,730,794
	Highway Fund	80.0%
	Local Aid Fund.....	20.0%

Department of Food and Agriculture.

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| 2511-0100 | For the operation of the department, including the office of the commissioner, the expenses of the board of agriculture, the division of dairy services, the operation of the division of regulatory services and animal health, including a program of laboratory services at the university of Massachusetts at Amherst, the expenses of the pesticides board, the division of agricultural development and fairs, including the expenses of the agricultural lands board; provided, that allotment funds for 4-H activities may be expended from this line item; provided further, that not less than \$225,000 shall be expended for the farmer's market coupon program; provided further, that not less than \$150,000 shall be expended for agricultural fair prizes, including prizes for pie baking; provided further, that not more than \$150,000 shall be expended as a grant to the city of Boston for technical assistance to the Haymarket association, pursuant to the provisions of a composting plan filed jointly by the department and the city of Boston; provided further, that not less than \$40,000 shall be expended for the cost of leased agricultural equipment at the Smith Vocational High School in Northampton; provided further, that not less than \$55,000 shall be expended for the purposes of the mastitis laboratory at the university of Massachusetts at Amherst; provided further, that funds shall be made available from this item for the cranberry trade initiative, so-called; provided further, that \$50,000 shall be expended for a one time payment to stabilize the viability of the center city farmer's market, so-called, in the city of Lowell; and provided further, that not less than \$60,000 shall be expended for the purpose of reviewing current federal meat inspection programs and regulations, and investigating ways in which the commonwealth can assist value-added meat processing agricultural business, so-called, including, but not limited to, marketing, business and financing plans | 4,578,613 |
| 2511-0105 | For the purchase of supplemental foods for the emergency food assistance program within the second harvest nationally-certified food bank system of Massachusetts; provided, that the funds appropriated herein shall be expended for food to be distributed by the greater Boston food bank as follows: 70.8 per cent to the greater Boston food bank, 16.8 per cent to the food bank of western Massachusetts, and 12.4 per cent to the Worcester county food bank; provided further, that the department of food and agriculture is hereby authorized and directed to conduct an investigation as to the distribution of funds among regions and report such findings to the house and senate committees on ways and means no later than February 13, 1998; and provided further, that such findings shall include, but not be limited to, any formulas needed for distribution of funds and recommendations for providing more equitable regional funding..... | 3,000,000 |
| 2511-3002 | For the integrated pest management program; provided, that not less than \$250,000 shall be expended for the purpose | |

	of a research grant at the university of Massachusetts; provided further, that said university shall not assess any overhead costs or charges to funds allocated to said university from this line item	337,000
2511-4010	For the development and operation of the aquaculture program	130,000
2520-0100	For the operation of the state reclamation board	51,634
	Mosquito and Greenhead Fly	
	Control Fund 100.0%	
2520-0107	For the purposes of the encephalitis and rabies control program	50,000
	<i>For the expenses of the following mosquito control projects; provided, that persons employed in these projects shall be exempt from the provisions of section 29A of chapter 29 of the General Laws:</i>	
2520-0300	For the Cape Cod mosquito control program	950,731
	Mosquito and Greenhead Fly	
	Control Fund 100.0%	
2520-0900	For the Suffolk county mosquito control program	173,772
	Mosquito and Greenhead Fly	
	Control Fund 100.0%	
2520-1000	For the Central Massachusetts mosquito control program	700,457
	Mosquito and Greenhead Fly	
	Control Fund 100.0%	
2520-1100	For the Berkshire county mosquito control program	104,412
	Mosquito and Greenhead Fly	
	Control Fund 100.0%	
2520-1200	For the Norfolk county mosquito control program	685,863
	Mosquito and Greenhead Fly	
	Control Fund 100.0%	
2520-1300	For the Bristol county mosquito control program	547,453
	Mosquito and Greenhead Fly	
	Control Fund 100.0%	
2520-1400	For the Plymouth county mosquito control program	670,666
	Mosquito and Greenhead Fly	
	Control Fund 100.0%	
2520-1500	For the Essex county mosquito control program	392,060
	Mosquito and Greenhead Fly	
	Control Fund 100.0%	

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Office of the Secretary.

State Appropriation

4000-0100	For the operation of the executive office, including the health facilities appeals board; provided, that said executive office shall provide technical and administrative assistance to agencies receiving federal funds; provided fur-
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ther, that said executive office shall monitor the expenditures and completion timetables for systems development projects being undertaken by the department of social services, the division of medical assistance, and the department of transitional assistance, and shall ensure that all measures are taken to make said systems compatible with one another for enhanced interagency interaction; provided further, that said office shall report to the house and senate committees on ways and means and the secretary of administration and finance on the progress of the development of said systems and the measures taken to ensure interagency cooperation not later than March 1, 1998; provided further, that said executive office shall continue to develop and implement the common client identifier, so-called; provided further, that said executive office shall work in conjunction with the office for children, the department of social services and the department of transitional assistance to develop a detailed plan for the implementation of a unified intake and eligibility system for day care in fiscal year 1999; provided further, that said plan shall include, but not be limited to, the costs of developing, implementing, servicing, and operating said system; provided further, that said executive office shall submit said plan to the house and senate committees on ways and means and the executive office of administration and finance not later than March 1, 1998; provided further, that said executive office shall ensure that any collaborative assessments for children receiving services from multiple agencies within the secretariat shall be performed within existing resources; provided further, that said executive office shall work in cooperation with the department of transitional assistance, the department of social services, and the office for children to facilitate the consolidation of day care services within said office for children; and provided further, that not more than \$310,118 of the funds appropriated herein shall be expended until such time as the plans directed in section 561 of chapter 151 of the acts of 1996 are submitted to the secretary of administration and finance and the house and senate committees on ways and means.....

1,860,708

- 4000-0105 For the Annie E. Casey foundation project, prior appropriation continued.
- 4000-0122 For a citizenship assistance program to assist legal non-citizens in becoming citizens of the United States; provided, that the executive office of health and human services is authorized and directed to enter into an interagency service agreement with the office for refugees and immigrants for the administration of said program; provided further, that said program shall be administered in consultation with said executive office, the department of transitional assistance, and the division of medical assistance; provided further, that said program shall be provided through community-based organizations to the maximum extent determined appropriate by the office of refugees and immigrants; provided further, that the program funded by this item: (1) shall provide assistance to persons who are eligible to become citizens of the United States within

three years; (2) shall provide assistance to such persons who have been determined ineligible for federally funded benefits solely because of their status as non-citizens and who are currently receiving state-funded benefits which could be replaced in whole or in part by federally funded benefits if such persons became citizens of the United States; and (3) may be funded not only through state appropriations but also through matching financial or in-kind contributions by private organizations or local government agencies; provided further, that persons who would qualify for benefits provided pursuant to chapter 118A of the General Laws, but for their status as legal non-citizens shall be accorded the highest priority for provision of services; provided further, that said program shall neither be an entitlement, nor be construed to create an entitlement, and shall be subject to state appropriation; provided further, that the office for refugees and immigrants shall issue quarterly reports to the house and senate committees on ways and means and to the executive office of administration and finance on the number of persons participating in said program and the number of persons attaining citizenship in each quarter; provided further, that said report shall also detail the number of participants in said program receiving state-funded benefits by category of benefit and the federal benefits each participant would have been eligible for, but for his status as a legal non-citizen; provided further, that said office for refugees and immigrants shall report quarterly to the house and senate committees on ways and means and the executive office of administration and finance on the amounts of matching or in-kind contributions by private organizations or local government agencies; provided further, that no funds shall be expended from this item to replace expiring federal funds; provided further, that no funds shall be expended from this item for AA subsidiary payroll costs, so-called; provided further, that it is declared to be the intention of the general court that this program shall not continue beyond fiscal year 2000 and that not more than an aggregate amount of \$6,000,000 shall be expended for the purposes of said program during the period from fiscal year 1998 through fiscal year 2000, inclusive; and provided further, that it is further declared to be the intention of the general court that no funds shall be appropriated for the purposes of said program beyond fiscal year 2000

2,000,000

4000-0175

For the purchase of federal food stamps for distribution to certain residents of the commonwealth; provided, that every possible effort shall be exerted by the secretary of the executive office of health and human services and the commissioner of the department of transitional assistance to obtain approval from the United States department of agriculture to purchase and distribute federal food stamps to certain residents; provided further, that on or before July 31, 1997, said secretary shall file a report with the executive office of administration and finance and the house and senate committees on ways and means

describing the steps that have been taken to fulfill the foregoing requirement; provided further, that to the extent that on or before July 31, 1997, the federal government does not permit the commonwealth to purchase federal food stamps, the secretary of the executive office of health and human services is hereby authorized and directed to work with the departments of transitional assistance and public health as he deems appropriate to create and implement a state food voucher program to be effective not later than September 1, 1997; provided further, that any such program shall be designed in accordance with the following criteria: (1) overhead or administrative costs of such program shall not exceed 11 per cent of the amount appropriated herein; (2) the department of transitional assistance shall determine, subject to the eligibility criteria specified in this item, the eligibility of persons to receive food vouchers; (3) to the extent possible, electronic benefit transfer technology shall be used in the issuance and redemption of said food vouchers; (4) such program shall be structured in a manner which minimizes the need for additional state employees or other administrative or overhead costs; provided further, that, to the extent possible within the amount appropriated herein, income eligibility criteria established for such a program shall replicate the equivalent criteria in effect for the federal food stamp program on July 1, 1997; provided further, that, to the extent possible within the amount appropriated herein, benefit levels established for such a program shall replicate the equivalent levels in effect for the federal food stamp program on July 1, 1997; provided further, that eligibility for any program or benefit funded through this item shall be restricted to those residents who are legal aliens or persons residing under color of law and (1) are ineligible for federal food stamp benefits pursuant to the provisions of sections 401, 402, or 403 of the federal personal responsibility and work opportunity reconciliation act of nineteen hundred and ninety-six, and (2) would otherwise be eligible for federally funded food stamps, but for their citizenship status; provided further, that benefits under this item shall not be provided to illegal or undocumented aliens, or those persons who would be eligible to receive federally funded food stamp benefits, but for their failure to fulfill work requirements; provided further, that all eligibility criteria established herein shall apply to any new or existing program funded through this appropriation including, but not limited to, a program to purchase and distribute federal food stamps and a state-run food voucher program; provided further, that said secretary may transfer funds from this item to other items of appropriation to implement said state food voucher program; provided further, that nothing contained in this item shall give rise, or be construed to give rise, to enforceable legal rights in any party or an enforceable entitlement to services provided under this item; provided further, that expenditures from this item shall not exceed

the amount appropriated herein; and provided further, that annualized cost of the program funded herein shall not exceed \$10,000,000.....	10,000,000
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Federal Appropriations

4000-0705	For the purposes of a federally funded grant entitled, Emergency Shelter Grants Program	1,700,000
4000-0706	For the purposes of a federally funded grant entitled, Crisis Nursery	60,000
4000-0707	For the purposes of a federally funded grant entitled, Supportive Housing.....	10,738,764
4000-0708	For the purposes of a federally funded grant entitled, Head Start.....	200,000
4000-9401	For the purposes of a federally funded grant entitled, Community Mental Health Services	6,384,827
4000-9402	For the purposes of a federally funded grant entitled, Substance Abuse Prevention and Treatment Block Grant	29,566,735
4003-0804	For the purposes of a federally funded grant entitled, Refugee Targeted Assistance Grant	1,461,269
4003-0805	For the purposes of a federally funded grant entitled, Refugee Resettlement Program and Social Services.....	1,877,195
4003-0806	For the purposes of a federally funded grant entitled, Refugee Cash Assistance, Medical Assistance, and Administration.....	10,579,448
4003-0807	For the purposes of a federally funded grant entitled, State Legalization Impact Assistance Grant	2,652,931

Division of Medical Assistance.

State Appropriations

4000-0300	For the operation of the division; provided, that the same standards and regulations in place for personal care attendants, nursing home bed holds, so-called, and score III, so-called, in fiscal year 1997 shall be retained in fiscal year 1998; provided, that in consultation with the division of health care finance and policy, the division shall not approve any increase in existing medicaid provider rates without taking all measures possible under title XIX of the social security act to ensure that rates of payment to providers do not exceed such rates as are necessary to meet only those costs which must be incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that expenditures for the purposes of each item appropriated to the division by this act shall be accounted for according to such purpose on the Massachusetts management, accounting and reporting system not more than 10 days after such expenditures have been made by the medicaid management information system; provided further, that the division shall not make expenditures that are not federally reimbursable, except as specifically authorized herein, or unless made for cost containment efforts the	
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purposes and amounts of which have been submitted to the house and senate committees on ways and means 30 days prior to making such expenditures; provided further, that the division may continue to recover provider overpayments made in the current and prior fiscal years through the medicaid management information system, and that such recoveries shall be deemed current fiscal year expenditure refunds, so-called; provided further, that the division shall report quarterly to the house and senate committees on ways and means the amounts of said expenditure refunds credited to each item of appropriation; provided further, that, unless otherwise expressly authorized by law, the division shall deposit all federal funds received in the General Fund; and provided further, that \$50,000 be made available for the funding of a head injury treatment program on Cape Cod, being the head injured program also known as the "CHIP" house, serving the treatment needs of individuals with brain injuries; provided further, that the division shall report quarterly to the house and senate committees on ways and means the amount of hand generated payments, so-called, to providers by item of appropriation from which said payments were made; and provided further, that the definitions for the personal care attendant program as set forth in 130 C.M.R. 422.402 and the operating procedures as set forth in 130 C.M.R. 422-421 shall not be changed from those in effect on January 1, 1996 until July 1, 1998, or until agreement is reached between the division of medical assistance and designees of the governor's advisory commission on disability policy, the Massachusetts office on disability, and the statewide independent living council regarding the legal and fiscal responsibilities associated with the employment of personal care attendants; provided further, that not less than \$107,000 shall be provided to compensate Morgan Memorial Goodwill Industries, Inc., of Boston for services provided to division of medical recipients between March, 1993, through June, 1993. Such reimbursement shall be for services rendered during said period, yet currently outstanding due to technical changes to the Submission Recap Reports Rule, so-called

34,875,614

- 4000-0307 For the administrative costs related to the implementation and operation of programs authorized by chapter 203 of the acts of 1996
Children's and Seniors' Health
Care Assistance Fund 100.0%

2,746,100

- 4000-0310 For administrative support and related services purchased contractually by the division, including, but not limited to, pre-admission screening, utilization review, medical consultants, disability determination reviews, health benefit managers and interagency service agreements; provided, that a summary description of interagency service agreements for which funds are allocated by the division to other agencies shall be submitted to the house and senate committees on ways and means not more than 10 days

	after making such allocations; provided further, that no funds shall be expended from this item for the contracted services funded in item 4000-0325; provided further, that no funds shall be expended by the division for the purpose of funding interpretive services directly or indirectly related to a settlement or resolution agreement, so-called, with the office of civil rights or any other office, group, or entity; and provided further, that interpretive services currently provided by the division shall not give rise to enforceable legal rights for any party or to an enforceable entitlement to interpretive services.....	31,160,000
4000-0315	For administrative support and related services purchased contractually by the division for the implementation and operation of programs authorized by chapter 203 of the acts of 1996, including, but not limited to, pre-admission screening, utilization review, medical consultants, disability determination reviews, health benefit managers, and interagency service agreements; provided, that not less than \$1,403,500 shall be provided for an interagency service agreement with the executive office of elder affairs that provides for the transfer of funds from this item for the costs of administering enrollment in the senior pharmacy assistance program established pursuant to the provisions of section 16B of chapter 118E of the General Laws; and provided further, that not less than \$500,000 shall be distributed to home care corporations for the purposes of said interagency service agreement..... Children's and Seniors' Health Care Assistance Fund..... 100.0%	4,783,810
4000-0318	For the non-personnel systems costs of the division incurred as a result of the implementation and operation of programs authorized by chapter 203 of the acts of 1996, including vendor contracts to upgrade and enhance the division's central automated vendor payment system, the medicaid management information system, so-called; provided, that not less than \$300,000 shall be provided for said systems enhancements to process claims for the senior pharmacy program established pursuant to the provisions of section 16B of chapter 118 of the General Laws..... Children's and Seniors' Health Care Assistance Fund..... 100.0%	1,366,221
4000-0320	The division of medical assistance may expend an amount not to exceed \$65,000,000 from the monies received from recoveries of any prior year expenditures and collections from liens, estate recoveries, third party recoveries, drug rebates, accident and trauma recoveries, case mix recoveries, computer audits, insurance recoveries, masspro and healthpro refunds, medicaid fraud returns, data match returns, medicare appeals, and program and utilization review audits; provided, that any revenues collected by the division that are not attributable to the aforementioned categories shall be deposited in the General Fund and shall be tracked separately therein; provided further, that additional categories of recoveries and collections may be	

credited to this item after providing written notice to the house and senate committees on ways and means; provided further, that no funds from this item shall be used for the purposes of items 4000-0300, 4000-0310, or 4000-0325; provided further, that expenditures from this item shall be limited solely to payments for the provision of medical care and assistance rendered in the current fiscal year; provided further, that the division shall file quarterly, with the house and senate committees on ways and means, a report delineating the amount of current year rebates from pharmaceutical companies or other current year collections which are being used to supplement current year expenditures; and provided further, that except as otherwise provided by this act, the division is hereby authorized and directed to make expenditures for services provided to non-citizens in optional coverage groups for federal means-tested public benefits established pursuant to 8 USCA 1612 section 402(a), whether or not federal reimbursement is available and whether or not they are qualified aliens, so-called

65,000,000

4000-0325

For the non-personnel systems costs of the division, including contracts for the management and operation of the central automated vendor payment system, including the recipient eligibility verification system, contracts for the operation and enhancement of the client eligibility systems, contracted staff whose main duties are systems related, and personal computers and other systems equipment used by division staff; provided, that all federal reimbursements for said contracts shall be deposited in the General Fund; and provided further, that 50 per cent of the cost of provider point of service eligibility verification devices purchased by the division shall be assumed by the providers utilizing said devices

28,773,922

4000-0430

For the commonhealth program to provide primary and supplemental medical care and assistance to disabled adults and children pursuant to sections 9A, 16, and 16A of chapter 118E of the General Laws; provided, that no funds shall be expended from this item for expenses incurred in the prior fiscal year; provided further, that the division shall maximize federal reimbursement for state expenditures made on behalf of said adults and children; provided further, that the division shall close enrollments or promulgate regulations that adjust eligibility, benefits and other requirements to limit expenditures to the amount appropriated herein; provided further, that the division shall adhere to the same time standards for processing of a commonhealth application as govern applications under title XIX, namely within 45 days of receipt of a completed application, or within 90 days if a determination of disability is required; provided further, that children will be eligible for said medical care and assistance if said children meet the disability standards as defined by the division of medical assistance; provided further, that said disability standards shall be no more restrictive than the standards in effect on July 1, 1996; and provided further,

	that except as otherwise provided by this act, the division is hereby authorized and directed to make expenditures for services provided to non-citizens in optional coverage groups for federal means-tested public benefits established pursuant to 8 USCA 1612 section 402 (a), whether or not federal reimbursement is available and whether or not they are qualified aliens, so-called	24,560,012
4000-0450	For a pharmacy assistance program for eligible residents of the commonwealth aged 65 or older, pursuant to the provisions of chapter 203 of the acts of 1996; provided, that except as otherwise provided by this act, the division is hereby authorized and directed to make expenditures for services provided to non-citizens in optional coverage groups for federal means-tested public benefits established pursuant to 8 USCA 1612 section 402 (a), whether or not federal reimbursement is available and whether or not they are qualified aliens, so-called Children's and Seniors' Health Care Assistance Fund..... 100.0%	30,000,000
4000-0500	For health care services provided to medical assistance recipients under the division's primary care clinician/mental health and substance abuse plan or through a health maintenance organization under contract with the division; provided, that not more than \$227,100,000 shall be expended from this item for health care services provided to said recipients in prior fiscal years; provided further, that except as otherwise provided by this act, the division is hereby authorized and directed to make expenditures for services provided to non-citizens in optional coverage groups for federal means-tested public benefits established pursuant to 8 USCA 1612 section 402 (a), whether or not federal reimbursement is available and whether or not they are qualified aliens, so-called; provided further, that no payment for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; and provided further, that expenditures from this item shall be made only for the purposes expressly stated herein; provided further, that the commissioners of the division of medical assistance and the department of mental health shall report quarterly to the house and senate committees on ways and means relative to the performance of the managed care organization under contract with the division to administer the mental health and substance abuse benefit; such quarterly reports shall include, but not be limited to, analyses of utilization trends, quality of care and costs across all service categories and modalities of care purchased from providers through the mental health and substance abuse program, including those services provided to clients of the department of mental health	1,259,047,300
4000-0600	For health care services provided to medical assistance recipients under the division's senior care plan; provided, that not more than \$255,300,000 shall be expended from this item for health care services provided to said recipients in prior fiscal years; provided further, that no payment for	

special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that notwithstanding the provisions of item 4000-0310 to the contrary, not less than \$8,600,000 shall be made available from this item to pay for the cost of home and community-based health waiver services provided to elderly medicaid recipients enrolled in the section 2176 waiver, so-called; provided further, that except as otherwise provided by this act, the division is hereby authorized and directed to make expenditures for services provided to non-citizens pursuant to section 267 of this act; provided further, that not more than \$5,774,431 may be expended to provide long term care services pursuant to sub-section (b) of section 267; provided further, that pursuant to the terms of an interagency service agreement between the division of medical assistance and the executive office of elder affairs, \$7,793,000 shall be made available from this item to pay for costs of the enhanced community options program, so-called, the home health substitution initiative, so-called, and the nursing home light care initiative, so-called; provided further, that the division shall make every effort to maximize federal reimbursement on said costs; provided further, that the division is hereby authorized to seek any federal waivers necessary to establish a managed care program for dually-eligible seniors, so-called; provided further, that said program shall integrate services covered by medicare and medicaid, including home and community-based support services, for the purpose of providing said seniors with high quality, accessible, cost-effective care which shall enable said seniors to maintain the highest feasible functional level; provided further, that said waiver shall not take effect unless specifically authorized by law; and provided further, that expenditures from this item shall be made only for the purposes expressly stated herein

1,550,743,750

4000-0700

For health care services provided to medical assistance recipients under the division's health care indemnity/third party liability plan and medical assistance recipients not otherwise covered under the division's managed care or senior care plans; provided, that not more than \$127,000,000 shall be expended from this item for health care services provided to said recipients in prior fiscal years; provided further, that except as otherwise provided by this act, the division is hereby authorized and directed to make expenditures for services provided to non-citizens in optional coverage groups for federal means-tested public benefits established pursuant to 8 USCA 1612 section 402 (a), whether or not federal reimbursement is available and whether or not they are qualified aliens, so-called; provided further, that no payment for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that not less than \$900,000 shall be made available from this item to pay for the cost of outreach and follow-up services conducted by agencies certi-

	fied as comprehensive family planning agencies to increase the utilization of comprehensive family planning services; and provided further, that expenditures from this item shall be made only for the purposes expressly stated herein	599,085,940
4000-0820	For the intergovernmental transfer component of the disproportionate share program for certain acute care hospitals established in accordance with title XIX, or any successor federal statute, any regulations promulgated thereunder, the medicaid state plan and the terms and conditions of agreements reached with the division for such transfer payments; provided, that such funds may only be expended from this item for such payments owed during the current fiscal year; provided further, that an accounting of such payments shall be reported quarterly to the house and senate committees on ways and means; and provided further, that all revenues generated by said program shall be credited to the General Fund	32,000,000
	Local Aid Fund..... 100.0%	
4000-0830	For the intergovernmental transfer component of the medicaid payments to the university of Massachusetts medical center for hospital services as provided pursuant to the terms and conditions of the contract between the division and said medical center; provided, that programs funded pursuant to this item shall not create recurring liabilities to the commonwealth in future fiscal years; provided further, that the General Fund shall be reimbursed \$2,500,000 by the medical center for its share of funds transferred pursuant to this item; and provided further, that said hospital shall submit by December 2, 1997, to the house and senate committees on ways and means, a report detailing the programs funded from this item	5,000,000
4000-0860	For health care services provided to children and adults participating in the medical assistance program pursuant to clauses (a), (b), (c), (d), (e), and (h) of subsection 2 of section 9A of chapter 118E of the General Laws; provided, that except as otherwise provided by this act, the division is hereby authorized and directed to make expenditures for services provided to non-citizens in optional coverage groups for federal means-tested public benefits established pursuant to 8 USCA 1612 section 402 (a), whether or not federal reimbursement is available and whether or not they are qualified aliens, so-called; provided further, that all revenues received as a result of expenditures authorized herein shall be credited to the Children's and Seniors' Health Care Assistance Fund; and provided further, that the division must apply for a waiver amendment as required by section 26 of chapter 203 of the acts of 1996 no later than October 1, 1997	62,930,455
	Children's and Seniors' Health Care Assistance Fund..... 100.0%	
4000-0870	For health care services provided to adults participating in the medical assistance program pursuant to clause (g) of subsection 2 of section 9A of chapter 118E of the General	

Laws; provided, that except as otherwise provided by this act, the division is hereby authorized and directed to make expenditures for services provided to non-citizens in optional coverage groups for federal means-tested public benefits established pursuant to 8 USCA 1612 section 402(a), whether or not federal reimbursement is available and whether or not they are qualified aliens, so-called; provided further, that all revenues received as a result of expenditures authorized herein shall be credited to the Children's and Seniors' Health Care Assistance Fund; and provided further, that the division may enter into an interagency service agreement with the department of transitional assistance for the provision of health benefits for enrollees in the emergency aid to the elderly, disabled, and children program

47,631,935

Children's and Seniors' Health Care
Assistance Fund.....100.0%

Federal Appropriation

4000-0314 For the purposes of a federally funded grant entitled, Welfare Reform

4,300,000

Division of Health Care Finance and Policy.

4100-0060 For the operation of the division and the administration of the uncompensated care pool established pursuant to chapter 118G of the General Laws; provided, that any interest accrued on principal in the compliance liability trust fund, so-called, during fiscal year 1998 shall be deposited in the General Fund as partial reimbursement for the administrative costs of the uncompensated care pool; provided further, that the total amount assessed to acute hospitals pursuant to the provisions of said chapter 118G for the purposes of this item shall be reduced by the amount of said interest; provided further, that the division shall promulgate regulations requiring all hospitals receiving payments from the uncompensated care pool to report quarterly to the division the following utilization information: the number of inpatient admissions and outpatient visits by age category, income category, diagnostic category and average charge per admission; provided further, that the division shall submit quarterly to the house and senate committees on ways and means a summary report compiling said data; provided further, that the division, in consultation with the division of medical assistance, shall not promulgate any increase in medicaid provider rates above existing rates without taking all measures possible under Title XIX of the Social Security Act or any successor federal statute to ensure that rates of payment to providers do not exceed such rates as are necessary to meet only those costs incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that the division shall meet the reporting requirements of section 25 of chapter 203 of the acts of 1996 with funds appropriated herein; provided further, that the division shall share financial data and expertise about the Massachusetts health care industry with the Massachusetts

Institute for Social and Economic Research for the purpose of developing and enhancing data products for the public; and provided further, that the division and the institute shall share any revenue generated through sale, licensure, royalty, and usage fees charged for said data products..... 9,281,778

4100-1054 For the purpose of making initial gross payments to qualifying acute care hospitals from the uncompensated care pool pursuant to the provisions of chapter 118G of the General Laws, for the hospital fiscal year beginning October 1, 1997; provided, that said payments shall be made to hospitals prior to, and in anticipation of, the payment by hospitals of their gross liability to said pool; provided further, that the comptroller is hereby authorized and directed to transfer the amount appropriated herein to said pool for the purpose of making such payments; provided further, that the amount appropriated herein, less any amount that is certified by the commissioner as unable to be collected from said hospitals, shall be returned proportionately to the General Fund and the Local Aid Fund at the end of the fiscal year ending June 30, 1998; provided further, that in no event shall the amount unable to be collected from a hospital exceed for any hospital which is a net payer to said pool the pool's gross liability to such hospital or for any hospital which is a net payee from said pool the pool's gross liability to such hospital; and provided further, that the comptroller is hereby authorized and directed to transfer to the General Fund as of said June 30 the balance of this appropriation and any allocation thereof as certified by the said commissioner 30,000,000

General Fund 66.0%

Local Aid Fund 34.0%

Massachusetts Commission for the Blind.

State Appropriations

4110-0001 For the office of the commissioner and bureau of research 667,030

4110-1000 For the community services program; provided that not less than \$400,000 be appropriated for the Talking Information Center 2,706,192

4110-1010 For aid to the adult blind; and provided further, that funds may be expended from this item for burial expenses incurred in the prior fiscal year 6,453,795

4110-1020 For determining eligibility for a medical assistance program for the blind; provided, that the commission is hereby authorized and directed to work with the division of medical assistance, the department of mental retardation and other state agencies to maximize federal reimbursement for clients determined through this item 392,915

4110-2000 For the turning 22 program of the commission; provided, that the amount appropriated herein for new clients participating in said program in fiscal year 1998 shall not exceed \$300,000 and shall not annualize to more than \$542,022

in fiscal year 1999; provided further, that nothing herein shall give rise to enforceable legal rights in any party or an enforceable entitlement to the services funded herein; provided further, that nothing stated herein shall be construed as giving rise to such enforceable legal rights or such enforceable entitlement; provided further, that the commission shall work in conjunction with the department of mental retardation to secure the maximum amount of federal reimbursements available for the care of turning 22 clients; and provided further, that the commission shall work in conjunction with the department of mental retardation to secure similar rates for contracted residential services

5,926,223

4110-3010	For a program of vocational rehabilitation for the blind in cooperation with the federal government; provided, that no funds from the federal vocational rehabilitation grants or state appropriation shall be deducted for pensions, group health and life insurance, or any other such indirect cost of federally reimbursed state employees; provided further, that \$163,000 of the amount appropriated herein shall be obligated for the purpose of mitigating inequitable reimbursement rates for the Carroll Center for the Blind.....	1,449,697
4110-4000	For the administration of the Ferguson industries for the blind; provided, that retired workshop employees shall receive grants equal to three-fourths of the salaries of current workshop employees; and provided further, that any funds received for goods and services purchased by private and public sector entities at Ferguson Industries shall be remitted to the General Fund	1,618,021

Federal Appropriations

4110-3020	For the purposes of a federally funded grant entitled, Vocational Rehabilitation; provided, that any reimbursement received for successful vocational rehabilitation closures under the federal Social Security Act's Vocational Rehabilitation Program may be used by the commission for the blind to provide for essential client programming, including but not limited to pre-vocational and supported employment services	525,011
4110-3021	For the purposes of a federally funded grant entitled, Basic Support Grant — Section 110	6,750,000
4110-3023	For the purposes of a federally funded grant entitled, Independent Living — Part B.....	87,500
4110-3026	For the purposes of a federally funded grant entitled, Independent Living - Part C	225,000
4110-3027	For the purposes of a federally funded grant entitled, Rehabilitation Training	35,000
4110-3028	For the purposes of a federally funded grant entitled, Supported Employment	185,000

Massachusetts Rehabilitation Commission.

State Appropriations

4120-1000	For the operation of the commission; provided, that the commissioner shall report quarterly to the house and senate committees on ways and means and the secretary of administration and finance on the number of clients served and the amount expended on each type of service; provided further, that upon the written request of the commissioner of revenue, said commissioner shall provide lists of individual clients to whom or on behalf of whom payments have been made for the purpose of verifying eligibility and detecting and preventing fraud, error, and abuse in the programs administered by the commission; and provided further, that said lists shall include client names and social security numbers and payee names and other identification, if different from a client's	304,501
4120-2000	For vocational rehabilitation services operated in cooperation with the federal government; provided, that no funds from the federal vocational rehabilitation grant or state appropriation be deducted for pensions, group health and life insurance, and any other such indirect cost of the federally reimbursed state employees.....	6,370,613
4120-3000	For employment assistance services; provided, that vocational evaluation and employment services for severely physically disabled adults may, subject to appropriation, be provided; provided further, that not less than \$65,000 be expended for the Charlestown navy yard special project for physically disabled adults	6,806,976
4120-4000	For independent living assistance services; provided that not less than \$1,378,705 shall be expended for the operation and staffing of independent living centers	4,047,611
4120-4001	For the housing registry for the disabled	100,000
4120-5000	For homemaking services	3,904,837
4120-6000	For head injured services	6,635,516
4120-6001	For the additional expenses of head injured services; provided, that the funds appropriated herein shall be expended solely for the cost of non-recurring services to the head injured; provided further, that said funds shall not be used to supplant existing services provided under item 4120-6000; and provided further, that all unexpended funds from this item shall revert to the head injury treatment services trust fund.....	250,000
	Head Injury Treatment Services	
	Trust Fund	100.0%

Federal Appropriations

4120-0020	For the purposes of a federally funded grant entitled, Vocational Rehabilitation.....	36,000,000
4120-0173	For the purposes of a federally funded grant entitled, New England Psychiatric Rehab Training	200,000

4120-0187	For the purposes of a federally funded grant entitled, Supported Employment Program.....	990,000
4120-0188	For the purposes of a federally funded grant entitled, Statewide Supported Employment Demonstration Project	550,000
4120-0511	For the purposes of a federally funded grant entitled, Disability Determination Services.....	36,000,000
4120-0760	For the purposes of a federally funded grant entitled, Independent Living	1,575,000
	<i>Massachusetts Commission for the Deaf and Hard of Hearing.</i>	
4125-0100	For the operation of and services provided by the commission for the deaf and hard of hearing; provided, that not less than \$50,000 shall be allocated for interpreter services for late-deafened adults; provided further, that not less than \$50,000 shall be allocated for on-call emergency interpreters	3,409,939
4125-0101	Notwithstanding the provisions of any general or special law to the contrary, the commission for the deaf and hard of hearing may expend revenues in an amount not to exceed \$70,000 from charges received on behalf of interpreter services and monies received from private grants, bequests, gifts or contributions; provided, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the commission may incur expenses and the comptroller may certify for payments amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system	70,000

Federal Appropriation

4125-0103	For the purposes of a federally funded grant entitled Massachusetts Assistive Technology Partnership.....	755,368
	<i>Office For Children.</i>	

State Appropriations

4130-0001	For the central administration of the office for children; provided, that the office shall administer the child care resource and referral system; provided further, that \$200,000 shall be expended for a contract to improve the administration and delivery of day care services pursuant to the provisions of section 337; and provided further, that nothing contained herein shall be construed as limiting the office's authority to issue variances or grant licenses or certificates on a probationary basis as provided in 102 CMR 8.00 as in effect on May 28, 1993	461,523
4130-0002	For the administration of the children's trust fund	812,711
4130-0005	For field operations licensing; provided, that no funds from this item may be expended for family support services; and provided further, that the office generate not less than \$621,008 to be deposited in the general fund from licensing fees and the sale of day care lists	6,117,546

4130-1000	For statewide neonatal and postnatal home parenting education and home visiting programs for at-risk newborns to be administered by the children's trust fund; provided, that such services shall be made available statewide to all parents under the age of 19 years within the amount appropriated herein	5,000,000
4130-3000	For the administration of day care programs pursuant to section 315; provided, that said office for children shall issue monthly reports detailing the number and average cost of voucher and contracted day care slots funded from items 4130-3200, 4130-3300, 4130-3400, 4130-3500, and 4130-3600, by category of eligibility; provided further, that the full annualized value of all rate increases granted in prior fiscal years shall be considered to be included in the aforementioned items; and provided further, that said office for children shall report quarterly to the house and senate committees on ways and means and the secretary of administration and finance on the unduplicated number of children on waiting lists for state subsidized day care....	1,376,343
4130-3100	For the regional administration of day care programs and related day care activities; provided, that said activities shall include, but not be limited to voucher management, child care provider training, child care for children with disabilities in school aged child care programs, community based programs that provide direct services to parents, and coordination of waiting lists for state subsidized day care; provided further, that not less than \$190,000 shall be expended to provide day care services for children with disabilities in school-aged child care programs; provided further, that \$650,000 shall be expended through child care resource and referral agencies and other qualified community-based child care training programs for the provision of child care training; provided further, that not more than \$6,363,644 shall be expended for the operating expenses of the voucher management system; and provided further, that no funds shall be expended from this item for AA subsidiary payroll expenses, so-called..... Child Care Fund 100.0%	8,530,458
4130-3200	For the provision of welfare reform day care; provided, that the expenses of contracted, voucher, and informal day care may be paid from this account; provided further, that day care services shall be provided to eligible participants in the full employment program established by subsection (i) of section 110 of chapter 5 of the acts of 1995, eligible participants of the employment services program, former participants for up to one year after termination of their transitional, or supplemental transitional, aid to families with dependent children benefits due to employment, and former participants beyond one year after termination of their transitional aid to families with dependent children benefits due to employment, to the extent that said former participants continue to meet all guidelines for eligibility, including, but not limited to, guidelines for income eligibility; provided further, that not more than \$5,840,633	

shall be expended from this item for contracted day care; provided further, that not less than \$99,421,664 shall be expended from this item for voucher day care; provided further, that not more than \$9,054,791 shall be expended for informal child care; provided further, that not more than \$2 per child per hour shall be paid for such informal services; provided further, that not less than \$500,000 shall be expended for day care services to participants in the full employment program; provided further, that \$495,000 shall be expended for the provision of 100 day care slots for children in the transitional aid to families with dependent children program or in the supplemental transitional aid to families with dependent children program, as established by section 266 of this act, who are in the custody and care of grandparents due to the incapacity or absence of the parents; provided further, that employment services program day care shall be available for recipients of benefits provided under the programs of transitional, and supplemental transitional, aid to families with dependent children and the absent parents of said recipients; provided further, any federal reimbursements received for purposes funded herein shall be credited to the general fund, unless otherwise specified; provided further, that day care slots shall be distributed geographically in a manner which provides fair and adequate access to day care for all eligible individuals; provided further, that all day care providers that are part of a public school system shall be required to accept from recipients day care vouchers provided through this appropriation; provided further, that the office is hereby authorized to provide day care benefits to parents currently enrolled in a job training program who are under the age of 18 and who would qualify for benefits under the provisions of chapter 118 of the General Laws, or under the separate program created by section 266 but for the deeming of the grandparents' income; provided further, that the secretary of the executive office of health and human services is hereby authorized to transfer not more than \$10,000,000 to this item from item 4403-2000 to be expended, in addition to the amount appropriated herein, on voucher day care; provided further, that said secretary, prior to said transfer, shall file with the executive office of administration and finance and the house and senate committees on ways and means an estimate of the number of voucher day care slots funded by said transfer, the annualized impact of said transfer and the effects, if any, of cost containment efforts implemented in the administration of day care programs; and provided further, that no funds shall be transferred from item 4403-2000 if such a transfer would cause a deficiency in said item

114,317,088

Child Care Fund 64.69%
General Fund 35.31%

4130-3300

For the provision of day care services to low income working families; provided, that all recipients of benefits from this item shall meet income eligibility guidelines as promulgated by the office; provided further, that \$7,500,000 shall

be expended to provide day care services to families currently on waiting lists; provided further, that \$8,350,000 shall be expended from this item for the provision of voucher day care services; provided further, that \$58,685,587 shall be expended from this item for the provision of contracted day care services; provided further, that, of said funds, \$1,900,182 shall be expended for contracted day care slots for teen parents and their children; provided further, that of said funds, not less than \$20,000 shall be expended for the purposes of a program of after school safety day care for the children of homeless families in the city of Framingham; and provided further, that no funds shall be expended from this item for the provision of post-transitional day care, so-called

67,035,587

Child Care Fund 64.69%
General Fund 35.31%

4130-3400

For the provision of day care services to the children of:
(a) teen parents attending high school and receiving transitional aid to families with dependent children benefits pursuant to subsection (i) of section 110 of chapter 5 of the acts of 1995 or supplemental transitional aid to families with dependent children benefits pursuant to section 266; (b) teen parents receiving supplemental security income payments who participate in school, education, and work and training related activities or a combination thereof and whose dependent children receive said aid; and (c) teen parents who participate in school, education, work and training related activities or a combination thereof and who are at risk of becoming eligible for transitional, or supplemental transitional, aid to families with dependent children benefits; provided, that the executive office of health and human services, in consultation with the department of transitional assistance and the department of social services, shall allocate from this item funds sufficient to ensure the priority of provision of day care services first to children of teen parents in category (a), then category (b), and lastly, category (c); provided further, that all teens eligible for year round full time day care services shall be participating in school, education, work and training related activities or a combination thereof for at least the minimum number of hours required by regulations promulgated for the transitional aid to families with dependent children program, whether or not such teens are recipients of transitional aid to families with dependent children benefits; provided further, that \$5,812,027 shall be expended for contracted day care services for such teen parents; provided further, that \$1,207,605 shall be expended for voucher day care services for such teen parents; and provided further, that \$303,790 shall be expended on informal child care services for such teens.....

7,323,422

Child Care Fund 100.0%

4130-3500	For the provision of day care services at the Dorchester, Fall River, Framingham, Middlesex, Roxbury, Springfield, Suffolk, and West Roxbury trial courts	628,722
4130-3600	For supportive day care associated with the family stabilization program; provided, that no funds shall be expended for "extended vouchers", so called	41,406,172
	Child Care Fund	83.25%
	General Fund	14.25%
	Social Services Program Fund	2.50%

Federal Appropriations

4130-2000	For the purposes of a federally funded grant entitled, Project Child Care 2000	121,811
4130-9002	For the purposes of a federally funded grant entitled, Child Abuse Prevention Activities	721,594
	<i>Massachusetts Soldiers' Home.</i>	
4180-0100	For the maintenance and operation of the Massachusetts soldiers' home, including a specialized unit for the treatment of Alzheimer's disease patients, located in the city of Chelsea.....	17,889,770
4180-1100	The soldiers' home in Chelsea may expend revenues up to a maximum of \$132,000 for facility maintenance and patient care, including personnel costs; provided, that 60 per cent of all revenues generated pursuant to section 2 of chapter 90 of the General Laws, through the purchase of license plates with the designation VETERAN by eligible veterans of the commonwealth, upon compensating the registry of motor vehicles for the cost associated with said license plates, shall be deposited into and for the purposes of this retained revenue account of the soldiers' home in Chelsea; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, said soldiers' home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, prior appropriation continued.....	132,000

Holyoke Soldiers' Home.

4190-0100	For the maintenance and operation of the soldiers' home, including the adult day care program, located in the city of Holyoke	12,782,455
4190-1100	The soldiers' home in Holyoke may expend revenues up to a maximum of \$88,000 for facility maintenance and patient care, including personnel costs; provided, that 40 per cent of all revenues generated pursuant to section 2 of chapter 90 of the General Laws, through the purchase of license plates with the designation VETERAN by eligible veterans of the commonwealth, upon compensating the registry of motor vehicles for the cost associated with said license plates, shall be deposited into and for the purposes of this retained revenue account of the soldiers' home in	

Holyoke; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, said soldiers' home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, prior appropriation continued..... 88,000

Department of Youth Services.

State Appropriations

- 4200-0010 For the administration of the department of youth services; provided, that the department shall submit a report to the house and senate committees on ways and means not later than December 15, 1997 detailing the caseload and cost per case estimate for all department programs funded in items 4200-0100, 4200-0200 and 4200-0300; provided further, that said estimate shall delineate said caseload and cost per case estimates in accordance with the account structures established by the aforementioned items of appropriation 3,905,426
- 4200-0100 For the supervision, counseling, and other community based services provided to committed youths in non-residential care programs of the department; provided, that the commissioner is hereby authorized to transfer up to 5 per cent of the funds appropriated herein to items 4200-0200 and 4200-0300 of section 2; provided further, that 30 days before any such transfer is made, said commissioner shall file with the secretary of administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer 15,161,422
- 4200-0200 For pre-trial detention programs, including purchase-of-service and state-operated programs; provided, that the commissioner is hereby authorized to transfer up to 5 per cent of the funds appropriated herein to items 4200-0100 and 4200-0300 of section 2; provided further, that 30 days before any such transfer is made, said commissioner shall file with the secretary of administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer 12,235,845
- 4200-0300 For secure facilities, including purchase-of-service and state-operated programs incidental to the operations of said facilities; provided, that the commissioner is hereby authorized to transfer up to 3 per cent of the funds appropriated herein to items 4200-0100 and 4200-0200 of section 2; provided further, that 30 days before any such transfer is made, said commissioner shall file with the secretary of administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer..... 60,157,159

4200-9999	For the payment of charges assessed to the department of youth services for the payment of workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback, so-called; provided, that notwithstanding the provisions of any general or special law to the contrary, prior to April 15, 1998 all funds appropriated herein shall be scheduled in the DD subsidiary, so-called; provided further, that after said date, the commissioner of the department of youth services, with the approval of the secretary of administration and finance, is hereby authorized to transfer from said DD subsidiary to the KK subsidiary, so-called, or the NN subsidiary, so-called, of this account, an amount not to exceed 15 per cent of the funds appropriated herein, if the secretary of administration and finance certifies in writing to the house and senate committees on ways and means that the following conditions have been met: (1) that the charges owed by the department for workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback are less than the amount appropriated herein; (2) that the department does not require any supplemental appropriation in any of its other items of appropriation; (3) that the department is expected to meet the revenue targets established in sections 1A and 1B; and (4) that the department has not expended any funds for the payment of workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback, so-called, in any of its other items of appropriation; provided further, that the secretary of administration and finance shall notify the house and senate committees on ways and means of all transfers of funds between subsidiaries as authorized herein; and provided further, that, no funds shall be scheduled to any subsidiary in this account which is not explicitly referenced herein	848,019
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Federal Appropriation

4238-1030	For the purposes of a federally funded grant entitled, Serious Violent and Chronic Juvenile Offender Treatment Program.....	500,000
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Department of Transitional Assistance.

State Appropriations

4400-1000	For the central administration of the department, including the development and maintenance of automated data processing systems and services in support of department operations, and for the administration of department programs in local transitional assistance offices including the expenses of operating a food stamp program; provided, that \$350,000 shall be expended on a food stamp outreach program; provided further, that the department shall maintain a transitional assistance office at 294 Bowdoin street in the Dorchester section of the city of Boston; provided further, that during fiscal year 1998 the department shall maintain the existing transitional assistance offices on	
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Liberty street and State street located in the city of Springfield; provided further, that all costs associated with verifying disability for all programs of the department shall be paid from this item; provided further, that associated expenses of employees whose AA subsidiary payroll costs, so-called, are paid from item 4400-1100 of section 2 shall be paid from this item; provided further, that the DD subsidiary costs, so-called, shall be paid from item 4400-9999; provided further, that the AA subsidiary payroll costs, so-called, for such employees shall not be paid from this item; provided further, that the department shall collect all out-of-court settlement restitution payments, so-called; provided further, that said restitution payments shall include, but not be limited to, installment and lump sum payments; provided further, that the department shall file quarterly reports with the house and senate committees on ways and means detailing the total amount of fraudulently obtained benefits identified by the bureau of special investigations of the department of public safety, the total value of said settlement restitution payments, actual monthly collections, and any circumstances that produce shortfalls in said collections; provided further, that notwithstanding any provision of general or special law to the contrary, unless otherwise expressly provided, federal reimbursements, other than transitional aid to needy families funds, received for the purposes of the department, including reimbursements for administrative, fringe and overhead costs, for fiscal year 1998 and prior fiscal years, shall be credited to the General Fund; provided further, that the department shall submit on a monthly basis to the house and senate committees on ways and means and the secretary of administration and finance a status report on program expenditures, savings and revenues, error rate measurements, public assistance caseloads and benefits; provided further, that said report shall comprehensively track statewide use of the emergency assistance program by eligibility category including, but not limited to, caseload, average length of use or stay, and monthly expenditures; provided further, that no funds shall be expended from this item for the compensation of unit eight employees, so-called; provided further, that the expenses of a finger imaging pilot program, so-called, may be paid from this item; provided further, that the department shall make a payment of \$50,000 from this item to the Amity Transitional Housing Program, so-called, of Lynn for prior fiscal year costs, in recognition of the department's failure to pay said vendor in fiscal year 1997; and provided further, that not more than \$10,999,706 shall be expended from this item until the department has promulgated and implemented regulations required by section 272.....

65,204,768

General Fund	50.0%
Transitional Aid to	
Needy Families Fund	50.0%

4400-1100	For AA subsidiary payroll, so-called, of the department's caseworkers, so-called; provided, that only employees of bargaining unit eight, so-called, as identified in the Massachusetts personnel administrative reporting and information system, so-called, shall be paid from this item; and provided further, that any other expenses associated with said employees shall be paid from items 4400-1000 and 4400-9999.....	58,202,487
	General Fund80.0%	
	Transitional Aid to	
	Needy Families Fund20.0%	
4400-8888	For costs associated with printing expenses and supplies of the department of transitional assistance; provided, that, notwithstanding the provisions of any general or special law to the contrary, prior to April 15, 1998, all funds appropriated herein shall be scheduled in the EE subsidiary, so-called; provided further, that after said date, the commissioner of the department of transitional assistance, with the approval of the secretary of administration and finance, is hereby authorized to transfer from said EE subsidiary to the KK subsidiary, so-called, or the NN subsidiary, so-called, of this account, an amount not to exceed 15 per cent of the funds appropriated herein, if said secretary of administration and finance certifies in writing to the house and senate committees on ways and means that the following conditions have been met: (1) that the charges owed by said department of transitional assistance for costs associated with printing expenses and supplies does not exceed the amount appropriated herein; (2) that the department does not require any supplemental appropriations in any of its other items of appropriation; (3) that the department is expected to meet the revenue targets established in sections 1A and 1B; and (4) that the department has not expended any funds for costs associated with printing expenses and supplies in any of its other items of appropriation; provided further, that said secretary of administration and finance shall notify the house and senate committees on ways and means of all transfers of funds between subsidiaries as authorized herein; and provided further, that no funds shall be scheduled in a subsidiary which is not explicitly referenced herein.....	225,000
	Transitional Aid to	
	Needy Families Fund 100.0%	
4400-9999	For the payment of charges assessed to the department of transitional assistance for the payment of workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback, so-called; provided, that notwithstanding the provisions of any general or special law to the contrary, prior to April 15, 1998 all funds appropriated herein shall be scheduled in the DD subsidiary, so-called; provided further, that after said date, the commissioner of the department of transitional assistance, with the approval of the secretary of administration	

and finance, is hereby authorized to transfer from said DD subsidiary to the KK subsidiary, so-called, or the NN subsidiary, so-called, of this account, an amount not to exceed 15 per cent of the funds appropriated herein, if the secretary of administration and finance certifies in writing to the house and senate committees on ways and means that the following conditions have been met: (1) that the charges owed by the department for workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback are less than the amount appropriated herein; (2) that the department does not require any supplemental appropriation in any of its other items of appropriation; (3) that the department is expected to meet the revenue targets established in sections 1A and 1B; and (4) that the department has not expended any funds for the payment of workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback, so-called, in any of its other items of appropriation; provided further, that the secretary of administration and finance shall notify the house and senate committees on ways and means of all transfers of funds between subsidiaries as authorized herein; and provided further, that no funds shall be scheduled to any subsidiary in this account which is not explicitly referenced herein

1,374,113

- Transitional Aid to
- Needy Families Fund..... 81.5%
- General Fund..... 18.5%

4401-1000

For a program to provide employment and training services for recipients of benefits provided under the programs of transitional, and supplemental transitional aid to families with dependent children and the absent parents of said recipients; provided, that all expenditures from this account shall be made in compliance with the provisions of section 275; provided further, that nothing contained in said section 275 shall give rise, or be construed to give rise, to enforceable legal rights in any party or an enforceable entitlement to services provided under this item; provided further, that certain parents who have not yet reached the age of 18 years, including those who are ineligible for transitional aid to families with dependent children, and who would qualify for benefits under the provisions of chapter 118 of the General Laws, or the separate program created by section 266, but for the deeming of the grandparents' income, shall be allowed to participate in the employment services program; provided further, that the department may allocate funds from this item to other agencies, including community colleges in the commonwealth for the purposes of the employment services program consistent with the provisions of section 275; provided further, that funds from this item shall be expended for the 100 careers program at Roxbury community college to recruit, train, counsel, and place in employment 100 new students with one or more

dependents who are receiving transitional assistance benefits and to provide workforce development in cooperation with employers; provided further, that no funds from this item shall be expended for day care or informal child care; provided further, that expenditures shall not exceed the amount appropriated herein; provided further, that the MassJOBS Council and the department of transitional assistance shall explore all federal reimbursements relating to job training programs to augment state appropriations; provided further, that the MassJOBS Council shall explore all other job training initiatives within the commonwealth to supplement the programs funded herein; provided further, that the payments for the costs of transportation to an approved activity by means other than public transportation or private automobile shall be permitted only when transportation by public means or private automobile is not reasonably available and affordable, and shall be subject to reasonable maximums determined by the department; provided further, that \$100,000 shall be expended for the purposes of an employment services program for refugee training and employment for the recipients of said program in Boston; provided further, that not less than \$100,000 shall be made available to the Cape Cod, Martha's Vineyard, and Nantucket regional employment board for the purpose of developing a pre-employment training program for human service vendors which shall include, but not be limited to, training for welfare recipients under the full employment program or under the community service program as defined in section 110(5)(k)(1) of chapter 5 of the acts of 1995; provided further, that said training program shall be developed by Cape Cod community college in conjunction with the department of mental health, the department of transitional assistance, the department of mental retardation, the deputy director of workforce development, and five human service vendors to be named by the regional employment board and presented to the Cape Cod, Martha's Vineyard, and Nantucket regional employment board for approval and implementation no later than October 15, 1998; provided further, that \$161,343 shall be expended for the administrative costs of a project at Northern Essex Community College; provided further, that \$300,000 shall be expended for the Parent's Fair Share program operated by Spectra Management Services Corporation, Inc., of Springfield; and provided further, that the department shall notify the house and senate committees on ways and means of all allocations made from this item

29,404,573

General Fund 51.0%
Transitional Aid to
Needy Families Fund 49.0%

4403-2000

For a program of transitional aid to families with dependent children; provided, that notwithstanding the provisions of any general or special law to the contrary, benefits from this item shall be paid only to citizens of the United States and to non-citizens for whom federal funds may be used

to provide benefits; provided further, that the need standard shall be equal to the standard in effect in fiscal year 1998; provided further, that the payment standard shall be equal to the need standard; provided further, that the payment standard for families who do not qualify for an exempt category of assistance under the provisions of subsection (e) of section 110 of chapter 5 of the acts of 1995 shall be $2\frac{3}{4}$ per cent below the payment standard in effect in fiscal year 1995; provided further, that the department shall notify all teen parents receiving benefits from said program of the requirements found in clause 2 of subsection (i) of said section 110 of said chapter 5; provided further, that a \$40 per month rent allowance shall be paid to all households incurring a rent or mortgage expense and not residing in public housing or subsidized housing; provided further, that a non-recurring children's clothing allowance in the amount of \$150 shall be provided to each child eligible under this program in September, 1997; provided further, that said children's clothing allowance shall be included in the standard of need for the month of September, 1997; provided further, that the department shall assure that eligibility is redetermined in the month of October for any applicant made eligible for assistance by virtue of said increase in the standard of need; provided further, that benefits under this program shall not be available to those families where a child has been removed from the household pursuant to a court order after a care and protection hearing on child abuse, nor to adult recipients otherwise eligible for transitional aid to families with dependent children but for the temporary removal of the dependent child or children from the home by the department of social services in accordance with department procedures; provided further, that notwithstanding the provisions of section 2 of chapter 118 of the General Laws, or any other general or special law to the contrary, the department shall render aid to pregnant women with no other eligible dependent children only if it has been medically verified that the child is expected to be born within the month such payments are to be made or within the three-month period following such month of payment, and who, if such child had been born and was living with her in the month of payment would be categorically and financially eligible for transitional aid to families with dependent children benefits; provided further, that certain families that suffer a reduction in benefits due to a loss of earned income and participation in retrospective budgeting may receive a supplemental benefit to compensate them for such loss; provided further, that no funds from this item shall be expended by the department for daycare or transportation services for the employment and training program; provided further, that no funds from this item shall be expended by the department for family reunification benefits or informal child care; provided further, that child support payments collected pursuant to Title IV-D of the Social Security Act, not to exceed an amount of \$32,500,000 shall be credited to this account and may be expended without further appropriation for the purposes

of this program; provided further, that in promulgating, amending, or rescinding its regulations with respect to eligibility for, or levels of, benefits under said program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the appropriation; provided further, that notwithstanding the provisions of any general or special law or of this item to the contrary, 30 days before implementing any eligibility or benefit changes, or both, to the program, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the house of representatives and the senate a determination by the secretary of health and human services that available appropriations for said program will be insufficient to meet projected expenses and a report setting forth the basis for, and text of, such proposed changes; and provided further, that notwithstanding the provisions of any general or special law to the contrary, the comptroller is hereby authorized and directed to transfer any unexpended balance remaining in this item at the close of the fiscal year to the Caseload Increase Mitigation Fund, as established in section 39; provided further, that the department shall study and report to the house and senate ways and means committees by January 1, 1998 a plan to allow them to enter into an interdepartmental service agreement for the purpose of allocating funds to the Massachusetts refugee resettlement program for certain individuals who otherwise would have been eligible to receive benefits under the transitional aid to families with dependent children program; provided further, that those individuals eligible for benefits through the Massachusetts refugee resettlement program and as a result of said interdepartmental service agreement shall not be eligible for benefits under chapters 117A or 118 while eligible for cash assistance under the refugee resettlement program; provided further, that the total cost of providing cash assistance under the Massachusetts refugee resettlement program shall not exceed the cost of providing cash assistance under the transitional aid to families with dependent children program for the same recipients; provided further, that nothing in the foregoing provisions shall be considered to allow or authorize the department to enter into an interdepartmentary agreement

413,114,724

Transitional Aid to
Needy Families Fund..... 58.2%
General Fund..... 41.8%

4403-2002

For a program of supplemental transitional aid to families with dependent children pursuant to the provisions of section 266 of this act; provided, that benefits under this item shall be provided only to persons who are not citizens of the United States, and for whom, pursuant to section 401, 402, or 403 of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 8 U.S.C. section 1611, 1612, or 1613, federal funds may not be used to provide benefits pursuant to

chapter 118 of the General Laws, but who are qualified aliens within the meaning of section 431 of said Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 8 U.S.C. section 1641, or are otherwise permanently residing in the United States under color of law; provided further, that the number of assistance units receiving benefits funded from this item at any one time shall not exceed the number of assistance units comprised of qualified aliens or persons permanently residing under color of law which were receiving benefits provided under item 4403-2000 of chapter 151 of the acts of 1996 on June 1, 1997, plus 640 assistance units; provided further, that notwithstanding the provisions of any general or special law, or any provisions of this act to the contrary, no benefits under this item shall be made available to illegal or undocumented aliens; provided further, that the need standard shall be equal to the standard in effect in fiscal year 1989; provided further, that the payment standard shall be equal to the need standard; provided further, that the payment standard for families who do not qualify for an exempt category of assistance under the provisions of subsection (e) of section 110 of chapter 5 of the acts of 1995 shall be 2¾ per cent below the payment standard in effect in fiscal year 1995; provided further, that the department shall notify all teen parents receiving benefits from said program of the requirements found in clause 2 of subsection (i) of said section 110 of said chapter 5; provided further, that a \$40 per month rent allowance shall be paid to all households incurring a rent or mortgage expense and not residing in public housing or subsidized housing; provided further, that a non-recurring children's clothing allowance in the amount of \$150 shall be provided to each child eligible under this program in September, 1997; provided further, that said children's clothing allowance shall be included in the standard of need for the month of September, 1997; provided further, that the department shall assure that eligibility is redetermined in the month of October for any applicant made eligible for assistance by virtue of said increase in the standard of need; provided further, that benefits under this program shall not be available to those families where a child has been removed from the household pursuant to a court order after a care and protection hearing on child abuse, nor to adult recipients otherwise eligible for supplemental transitional aid to families with dependent children but for the temporary removal of the dependent child or children from the home by the department of social services in accordance with department procedures; provided further, that notwithstanding the provisions of section 2 of chapter 118 of the General Laws, or any other general or special law to the contrary, the department shall render aid to pregnant women with no other eligible dependent children only if it has been medically verified that the child is expected to be born within the month such payments are to be made or within the three-month period following such month of payment, and who, if such child

had been born and was living with her in the month of payment would be categorically and financially eligible for supplemental transitional aid to families with dependent children benefits; provided further, that certain families that suffer a reduction in benefits due to a loss of earned income and participation in retrospective budgeting may receive a supplemental benefit to compensate them for such loss; provided further, that no funds from this item shall be expended by the department for daycare or transportation services for the employment and training program; provided further, that no funds from this item shall be expended by the department for family reunification benefits or informal child care; provided further, that child support payments collected pursuant to Title IV-D of the Social Security Act, not to exceed an amount of \$911,260 shall be credited to this account and may be expended without further appropriation for the purposes of this program; provided further, that in promulgating, amending, or rescinding its regulations with respect to eligibility for, or levels of, benefits under said program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the appropriation; and provided further, that notwithstanding the provisions of any general or special law or of this item to the contrary, 30 days before implementing any eligibility or benefit changes or both to the program, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the house of representatives and the senate a determination by the secretary of health and human services that available appropriations for said program will be insufficient to meet projected expenses and a report setting forth the basis for, and text of, such proposed changes

19,799,140

4403-2013

The department may expend an amount not to exceed \$32,500,000, in accordance with the provisions of items 4403-2000 and 4403-2002 of section 2 of this act, accrued from the child support payments collected pursuant to Title IV-D of the Social Security Act, for the purposes of the programs of transitional aid to families with dependent children and supplemental transitional aid to families with dependent children; provided, that not more than \$911,260 may be expended for the purposes of item 4403-2002 of this act.....

32,500,000

4403-2110

For expenses of the emergency assistance program directly attributable to rent liability; provided, that no funds may be expended for heat or utility arrearages, so-called; provided further, that the department may provide limited related services in the event of a disaster as defined by regulations promulgated by the department; provided further, that said services shall be defined as payments for advance rent, security deposits, sheltering, housing search, food, clothing and housing supplies; provided further, that in promulgating, amending, or rescinding regulations with respect to eligibility or benefits under said program, the department shall take into account the amounts available

to it for expenditure by this item so as not to exceed the appropriation; provided further, that notwithstanding the provisions of any general or special law to the contrary or of this item to the contrary, 30 days before promulgating any such eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the house of representatives and the senate a determination by the secretary of health and human services that available appropriations for said program will be insufficient to meet projected expenses and a report setting forth such proposed changes; provided further, that the department shall prepare and promulgate rules and regulations to prevent abuse in the emergency assistance program in items 4403-2110 and 4403-2120 of section 2; provided further, that said rules and regulations shall include but not be limited to a year to year cross check of recipients to determine if a person has received similar benefits in the previous 36 months; provided further, that if a person has utilized emergency assistance benefits more than once within 36 months, the department is hereby authorized and directed to place said person on a protective payment schedule for the entire period during which said person is receiving said benefits; provided further, that no advance payments shall be paid in fiscal year 1998; provided further, that benefits under this item shall be provided only to residents who are citizens of the United States or certain non-citizens lawfully admitted for permanent residence or permanently residing under color of law and shall not be provided to illegal or undocumented aliens; provided further, that the department of transitional assistance shall establish by regulation categories of non-citizens who are eligible for benefits consistent with the provisions of this item not later than July 31, 1997; provided further, that nothing herein shall give rise to enforceable legal rights in any party or an enforceable entitlement to services other than to the extent that such rights or entitlements exist pursuant to the regulations promulgated by the department; provided further, that nothing stated herein shall be construed as giving rise to enforceable legal rights or enforceable entitlement to any services other than to the extent that such rights or entitlements exist pursuant to the regulations promulgated by the department; provided further, that nothing in the two preceding provisos shall authorize the department to alter eligibility criteria or benefit levels, except to the extent that such changes are needed to avoid a deficiency in this item; and provided further, that no emergency assistance expenditures shall be paid from this item unless explicitly authorized by this item.....

10,184,795

- General Fund..... 50.0%
- Transitional Aid to
Needy Families Fund..... 50.0%

4403-2119

For the provision of structured settings as provided in subsection (i) of section 110 of chapter 5 of the acts of 1995 for parents under the age of 20 who are receiving benefits

under the transitional aid to families with dependent children program, or under the supplemental transitional aid to families with dependent children program; provided, that \$125,000 shall be expended for an independent evaluation of said settings

5,341,813

4403-2120

For certain expenses of the emergency assistance program as herein delineated: (i) contracted family shelters, (ii) transitional housing program, (iii) program to reduce homelessness in Barnstable, Dukes and Nantucket counties, (iv) residential education center for single mothers with children, (v) intake centers, so-called, (vi) hotel and motel payments on behalf of homeless families; and (vii) voucher shelters, so-called; provided, that not more than \$76,650 may be expended for the hotel and motel emergency assistance program; provided further, that no funds may be expended for heat or utility arrearages, so-called; provided further, that in promulgating, amending, or rescinding regulations with respect to eligibility or benefits under said program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the appropriation; provided further, that notwithstanding the provisions of any general or special law to the contrary or this item to the contrary, 30 days before promulgating any such eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the house of representatives and the senate a determination by the secretary of health and human services that available appropriations for said program will be insufficient to meet projected expenses and a report setting forth such proposed changes; provided further, that the department is authorized to enter into an interagency service agreement with the department of housing and community development for a program to prevent homelessness; provided further, that not more than \$4,563,333 shall be expended for said program; provided further, that \$26,959,160 shall be expended on contracted family shelters; provided further, that of the amount authorized for said contracted family shelters, not less than \$798,483 shall be expended for the Safe Harbor shelter, so-called; provided further, that of the amount authorized for said contracted family shelters, not less \$310,000 shall be expended for the operation of the emergency family shelter operated by Emmaus Inc. of Haverhill; provided further, that of the amount authorized for said contracted family shelters, not more than \$25,000 shall be expended for Champ House; provided further, that the department is directed to enter into four contracts to provide transitional housing for homeless families; provided further, that not more than \$1,280,648 shall be expended on said transitional housing program; provided further, that no more than \$350,000 shall be expended for the purpose of a program to reduce homelessness for needy families in Barnstable, Dukes, and Nantucket counties as provided in section 253 of chapter 60 of the acts of 1994; provided further, that at least as many shelter spaces as were pro-

vided for homeless families during fiscal year 1997 be made available in fiscal year 1998; provided further, that the winter shelters, so-called, be operated year-round; provided further, that \$104,148 shall be expended for a furniture donation pickup van; provided further, that the department shall promulgate regulations to prevent abuse in the emergency assistance program in items 4403-2110 and 4403-2120 of section 2; provided further, that said rules and regulations shall include but not be limited to a year to year cross check of recipients to determine if a person has received similar benefits in the previous 36 months; provided further, that if a person has utilized emergency assistance benefits more than once within 36 months, the department is hereby authorized and directed to place said person on a protective payment schedule for the entire period during which said person is receiving said benefits; provided further, that no advance payments shall be paid in fiscal year 1998; provided further, that no emergency assistance expenditures shall be paid from this item unless explicitly authorized by this item; provided further, that benefits under this item shall be provided only to residents who are citizens of the United States or certain non-citizens lawfully admitted for permanent residence or permanently residing under color of law and shall not be provided to illegal or undocumented aliens; provided further, that the department of transitional assistance shall establish by regulation categories of non-citizens who are eligible for benefits consistent with the provisions of this item not later than July 31, 1997; provided further, that nothing herein shall give rise to enforceable legal rights in any party or an enforceable entitlement to services other than to the extent that such rights or entitlements exist pursuant to the regulations promulgated by the department; provided further, that nothing stated herein shall be construed as giving rise to enforceable legal rights or enforceable entitlement to any services other than to the extent that such rights or entitlements exist pursuant to the regulations promulgated by the department; and provided further, that nothing in the two preceding provisos shall authorize the department to alter eligibility criteria or benefit levels, except to the extent that such changes are needed to avoid a deficiency in this item

34,304,675

General Fund62.0%

Transitional Aid to

Needy Families Fund.....38.0%

4405-2000

For the state supplement to the supplemental security income program for the aged and disabled, including a program for emergency needs for supplemental security income recipients; provided, that the expenses of special grants recipients residing in rest homes, as provided in section 7A of chapter 118A of the General Laws, may be paid from this item; provided further, that the payment levels for the optional supplemental categories shall be those in effect on July 1, 1995; provided further, that the

department of transitional assistance, in collaboration with the division of medical assistance, is hereby authorized to fund an optional supplement living arrangement category under the supplemental security income program that makes payments to persons living in assisted living residences certified pursuant to chapter 19D of the General Laws who meet the income and clinical eligibility criteria established by the department and said division; provided further, that said optional category of payments shall only be administered in conjunction with the medicaid group adult foster care benefit; provided further, that notwithstanding provisions of any general or special law to the contrary, persons receiving services under the provisions of subsection (a) of section 6 of chapter 354 of the acts of 1994 on June 30, 1996 shall continue to receive said services until the implementation of said optional category of payments; and provided further, that the expenses of a program to aid emergency aid to the elderly, disabled and children and supplemental emergency aid to the elderly, disabled, and children recipients in becoming eligible for said supplemental security income program may be paid from this item.....

171,964,625

4406-3000

For the homelessness program to assist individuals who are homeless or in danger of becoming homeless, including assistance to organizations which provide food, shelter, housing search, and limited related services to the homeless and indigent; provided, that the department may allocate funds to other agencies for the purposes of this program; provided further, that the department shall notify the house and senate committees on ways and means of all such allocations; provided further, that \$987,431 shall be expended for the health care for the homeless programs in Boston, Worcester and Springfield, including not less than \$563,345 for the Boston health care for the homeless program; provided further, that not less than \$48,400 shall be expended for the provision of health services to the homeless and uninsured by Primary Care and Mental Health, Inc., located in the city of Lynn; provided further, that not less than \$235,000 shall be expended for Our Fathers House in Fitchburg; provided further, that not less than \$2,102,584 shall be expended for the Greater Boston Housing and Shelter Alliance; provided further, that not less than \$659,996 shall be expended for the Middlesex Shelter in Lowell; provided further, that not less than \$84,000 shall be expended for the Boston Rescue Mission; provided further, that not less than \$271,989 dollars shall be expended for the Market Ministries shelter in New Bedford; provided further, that not less than \$11,974,345 shall be expended for a contract with the Pine Street inn located in the city of Boston; provided further, that not less than \$1,118,987 shall be expended for a comprehensive multi-service day treatment program for the homeless in the city of Boston; provided further, that not less than a total of \$4,205,182 shall be expended for the PIP shelter in Worcester, the daybreak shelter in Lawrence, and the Long Island shelter in Boston; pro-

vided further, that not less than \$247,500 shall be expended for the Friends of the Homeless shelter in Springfield; provided further, that \$503,556 shall be expended for the Cambridge Salvation Army; provided further, that not less than \$187,000 from this item shall be expended for a contract with ServiceNet, Inc., to operate homeless shelters in Hampshire and Franklin counties; provided further, that notwithstanding the provisions of any general or special law to the contrary, \$165,000 shall be obligated for a contract with the SHADOWS project in Natick, for the provision of shelter services to homeless women; provided further, that not less than \$624,494 shall be expended for the Quincy Interfaith Sheltering Coalition; provided further, that not less than \$40,000 shall be expended for the Samaritan Inn homeless shelter in Westfield; provided further, that not less than \$215,824 shall be expended for a shelter operated by Emmaus, Inc. of Haverhill; provided further, that not less than \$116,000 shall be expended for the Marlborough Shelter program, so-called; provided further, that \$140,000 shall be expended for the Meadows program, so-called; provided further, that \$275,000 shall be expended for the Turning Point program, so-called; provided further, that not less than \$187,539 shall be expended for a contract with the Berkshire County Chapter of the American Red Cross; provided further, that not less than \$194,872 shall be expended for a contract with the Somerville Homeless Coalition; provided further, that not less than \$468,498 shall be expended for a contract with the Housing Assistance Corporation in Hyannis; provided further, that not less than \$132,019 shall be expended for the Project Place day services program in the city of Boston; provided further, that not less than \$32,500 shall be expended for a contract with the Hyannis Salvation Army; provided further, that not less than \$125,000 shall be expended for a contract with Sylvia's Haven at Devens to provide transitional housing to pregnant and parenting women and girls; provided further, that not less than \$130,000 shall be expended for a contract with the Mary E. Sargent House to provide transitional housing services to women and children; provided further, that the department is hereby authorized and directed to provide a rate increase to homeless service providers who received payment from this item in fiscal years 1996 and 1997, and who did not receive a rate increase in fiscal year 1997; provided further, that said rate increase shall not exceed 10 per cent of the value of said service providers' contracts in fiscal year 1996; and provided further, that at least as many shelter spaces as were provided for homeless families and individuals during fiscal year 1997 shall be made available in fiscal year 1998.....

29,500,005

4408-1000

For a program of cash assistance to certain residents of the commonwealth pursuant to chapter 117A of the General Laws, entitled emergency aid to the elderly, disabled and children found by the department to be eligible for such aid, pursuant to regulations promulgated by said depart-

ment and subject to the limitations of appropriation therefor; provided, that benefits under this item shall only be provided to residents of the commonwealth who are citizens of the United States and shall not be provided to illegal or undocumented aliens; provided further, that the payment standard shall equal the payment standard in effect under the general relief program in fiscal year 1991; provided further, that a \$35 rent allowance, to the extent possible within the amount of this appropriation, shall be paid to all households incurring a rent or mortgage expense and not residing in public housing or subsidized housing; provided further, that the department may provide benefits to persons age 65 or older who have applied for benefits under chapter 118A of the General Laws, to persons suffering from a medically determinable impairment or combination of impairments which is expected to last for a period as determined by department regulations and which substantially reduces or eliminates the individual's capacity to support him or herself and which have been verified by a competent authority, to certain persons caring for a disabled person, to otherwise eligible participants in the vocational rehabilitation program of the Massachusetts rehabilitation commission, to otherwise eligible students under age 21 who are regularly attending a full time grade, high school, technical or vocational school not beyond the secondary level and to dependent children who are ineligible for benefits under both chapter 118 of the General Laws and the separate program created by section 266 of this act, and parents or other caretakers of dependent children who are ineligible under said chapter 118 and under said separate program; provided further, that no ex-offender, person over age 45 without a prior work history, or person in a residential treatment facility shall be eligible for benefits under this program unless said person otherwise meets the eligibility criteria described herein and defined by regulations of the department; provided further, that any person incarcerated in a correctional institution shall not be eligible for benefits under said program; provided further, that no funds shall be expended from this item for the payment of expenses associated with any medical review team, other disability screening process or costs associated with verifying disability for this program; provided further, that the department shall promulgate emergency regulations pursuant to chapter 30A of the General Laws to implement the changes to this program required by this act promptly and within the appropriation; provided further, that in initially implementing the program for this fiscal year, the department shall include all eligibility categories permitted herein at the payment standard in effect for the former general relief program in fiscal year 1991; provided further, that in promulgating, amending, or rescinding its regulations with respect to eligibility or benefits, including the payment standard, medical benefits, and any other benefits under this program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the amount

appropriated herein; provided further, that notwithstanding the provisions of any general or special law to the contrary or of this item to the contrary, before implementing any eligibility or benefit changes or both to the program, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the house of representatives and the senate a determination by the secretary of health and human services that available appropriations for said program will be insufficient to meet projected expenses and a report setting forth such proposed changes; provided further, that said report shall contain detailed information concerning the current and proposed operation of the program, including categories of eligibility, number of eligible persons in each category, demographic information regarding said persons, services rendered to said persons, direct service costs, administrative costs, and an explanation of need for proposed changes in eligibility requirements or benefit levels or both; provided further, that the department is authorized to promulgate emergency regulations pursuant to chapter 30A of the General Laws to implement these eligibility or benefit changes or both; provided further, that nothing herein shall be construed as creating any right accruing to recipients of the former general relief program; provided further, that the secretary of health and human services shall report monthly to the house and senate committees on ways and means for the preceding month on the number of persons applying for benefits under this program, by category, age, and disability, if any, and the number of persons receiving and denied benefits under this program by category, age and disability, if any; provided further, that reimbursements collected from the social security administration on behalf of former clients of the emergency aid to the elderly, disabled and children program, or unprocessed payments from said program that are returned to the department, not to exceed an amount of \$18,022,565, shall be credited to this account and may be expended without further appropriation for the purposes of this program; and provided further, that notwithstanding any general or special law to the contrary, the funds made available herein shall be the only funds available for said programs, and the department shall not spend funds for said program in excess of the amount made available herein.....

36,779,830

4408-2002

For a program of cash assistance to certain residents of the commonwealth pursuant to section 265 of this act, entitled supplemental emergency aid to the elderly, disabled and children found by the department to be eligible for such aid, pursuant to regulations promulgated by said department and subject to the limitations of appropriation therefor; provided, that all expenditures from this item shall be made in accordance with the provisions of said section 265 of this act; provided further, that benefits from this item shall be paid to legal non-citizens who are qualified aliens within the meaning of section 431 of the personal responsibility and work opportunity reconciliation

act of 1996, 8 U.S.C. section 1641, or are otherwise permanently residing in the United States under color of law; provided further, that at no time shall the number of assistance units receiving benefits under this item exceed the number of assistance units comprised of qualified aliens or persons residing in the United States under color of law which were receiving benefits funded through item 4408-1000 of chapter 151 of the acts of 1996 on June 1, 1997, plus 15,600 assistance units; provided further, that the payment standard shall equal the payment standard in effect under the general relief program in fiscal year 1991; provided further, that a \$35 rent allowance, to the extent possible within the amount of this appropriation, shall be paid to all households incurring a rent or mortgage expense and not residing in public housing or subsidized housing; provided further, that the department may provide benefits to persons age 65 or older who have applied for benefits under chapter 118A of the General Laws, to persons suffering from a medically determinable impairment or combination of impairments which is expected to last for a period as determined by department regulations and which substantially reduces or eliminates the individual's capacity to support him or herself and which have been verified by a competent authority, to certain persons caring for a disabled person, to otherwise eligible participants in the vocational rehabilitation program of the Massachusetts rehabilitation commission, to otherwise eligible students under age 21 who are regularly attending a full time grade, high school, technical or vocational school not beyond the secondary level and to dependent children who are ineligible for benefits under both chapter 118 of the General Laws and the separate program created by section 266 of this act, and parents or other caretakers of dependent children who are ineligible under said chapter 118 and under said separate program; provided further, that no ex-offender, person over age 45 without a prior work history, or person in a residential treatment facility shall be eligible for benefits under this program unless said person otherwise meets the eligibility criteria described herein and defined by regulations of the department; provided further, that any person incarcerated in a correctional institution shall not be eligible for benefits under said program; provided further, that no funds shall be expended from this item for the payment of expenses associated with any medical review team, other disability screening process or costs associated with verifying disability for this program; provided further, that the department shall promulgate emergency regulations pursuant to chapter 30A of the General Laws to implement the changes to this program required by this act promptly and within the appropriation; provided further, that in initially implementing the program for this fiscal year, the department shall include all eligibility categories permitted herein at the payment standard in effect for the former general relief program in fiscal year 1991; provided further, that in promulgating, amending, or rescinding its regulations with respect to eligibility or

benefits, including the payment standard, medical benefits, and any other benefits under this program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the amount appropriated herein; provided further, that notwithstanding the provisions of any general or special law to the contrary or of this item to the contrary, before implementing any eligibility or benefit changes or both to the program, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the house of representatives and the senate a determination by the secretary of health and human services that available appropriations for said program will be insufficient to meet projected expenses and a report setting forth such proposed changes; provided further, that said report shall contain detailed information concerning the current and proposed operation of the program, including categories of eligibility, number of eligible persons in each category, demographic information regarding said persons, services rendered to said persons, direct service costs, administrative costs, and an explanation of need for proposed changes in eligibility requirements or benefit levels or both; provided further, that the department is authorized to promulgate emergency regulations pursuant to chapter 30A of the General Laws to implement these eligibility or benefit changes or both; provided further, that nothing herein shall be construed as creating any right accruing to recipients of the former general relief program; provided further, that the secretary of health and human services shall report monthly to the house and senate committees on ways and means for the preceding month on the number of persons applying for benefits under this program, by category, age, and disability, if any, and the number of persons receiving and denied benefits under this program by category, age and disability, if any; provided further, that reimbursements collected from the social security administration on behalf of former clients of the supplemental emergency aid to the elderly, disabled and children program, or unprocessed payments from said program that are returned to the department shall be credited to the general fund; and provided further, that notwithstanding any general or special law to the contrary, the funds made available herein shall be the only funds available for said programs, and the department shall not spend funds for said program in excess of the amount made available.....

62,534,248

Federal Appropriation

4400-3069 For the purposes of a federally fund grant entitled, Food Stamp Cash-Out

1,800,000

Department of Public Health.

State Appropriations

4510-0100 For the operation of the department; provided, that the position of assistant commissioner shall not be subject to chapter 31 of the General Laws; provided further, that the department is hereby authorized to transfer up to 3 per

cent of the funds appropriated herein to items 4510-0103, 4510-0104, and 4510-0105 of section 2; provided further, that no such transfer shall occur before May 1, 1998; provided further, that 30 days before any such transfer is made, said department shall file with the house and senate committees on ways and means a schedule of the amounts to be transferred and the reason for such proposed transfer; and provided further, that said transfers from this item shall not cause a deficiency in this item 7,670,157

4510-0103 For the payment of charges assessed to the department of public health for the payment of workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback, so-called, as classified by the comptroller; provided, that all funds appropriated herein shall be scheduled in the DD subsidiary, so-called; provided further, that no funds from any other item of state appropriation available to the department shall be used for said payments; provided further, that the department is hereby authorized to transfer up to 3 per cent of the funds appropriated herein to items 4510-0104 and 4510-0105 of section 2; provided further, that no such transfer shall occur before May 1, 1998; provided further, that 30 days before any such transfer is made, said department shall file with the house and senate committees on ways and means a schedule of the amounts to be transferred and the reason for such proposed transfer; and provided further, that said transfers from this item shall not cause a deficiency in this item 4,228,816

4510-0104 For the administrative expenses and chargebacks of the department made pursuant to the EE subsidiary, so-called, as classified by the comptroller; provided, that all funds appropriated herein shall be scheduled in the EE subsidiary, so-called; provided further, that no funds from any other item of state appropriation available to the department shall be used for said expenses and chargebacks; provided further, that the public health hospitals funded in items 4540-0900 and 4590-0900, the center for laboratory and communicable disease control and the state laboratory funded in item 4516-1000, the nuclear safety assessment program funded in item 4510-0615, the drug registration and monitoring program funded in item 4510-0616, and the universal immunization program funded in item 4580-1000 shall not be subject to the provisions stated herein; provided further, that the department is hereby authorized to transfer up to 3 per cent of the funds appropriated herein to items 4510-0103 and 4510-0105 of section 2; provided further, that no such transfer shall occur before May 1, 1998; provided further, that 30 days before any such transfer is made, said department shall file with the house and senate committees on ways and means a schedule of the amounts to be transferred and the reason for such proposed transfer; and provided further, that said transfers from this item shall not cause a deficiency in this item 1,402,584

4510-0105	For the space and energy payments made by the department pursuant to the GG subsidiary, so-called, as classified by the comptroller; provided, that all funds appropriated herein shall be scheduled in the GG subsidiary, so-called; provided further, that no funds from any other item of state appropriation available to the department shall be used for said payments; provided further, that the public health hospitals funded in items 4540-0900 and 4590-0900, the center for laboratory and communicable disease control and the state laboratory funded in item 4516-1000, and the universal immunization program funded in item 4580-1000 shall not be subject to the provisions stated herein; provided further, that the department is hereby authorized to transfer up to 3 per cent of the funds appropriated herein to items 4510-0103 and 4510-0104 of section 2; provided further, that no such transfer shall occur before May 1, 1998; provided further, that 30 days before any such transfer is made, said department shall file with the house and senate committees on ways and means a schedule of the amounts to be transferred and the reason for such proposed transfer; and provided further, that said transfers from this item shall not cause a deficiency in this item	3,089,193
4510-0110	For community health center services, including smoking cessation programs; provided, that not more than \$250,000 shall be used for the purpose of creating a match for federal funds available to the department of public health to support a medical education loan repayment program to be operated in conjunction with the Massachusetts League of Community Health Centers	1,348,706
	Health Protection Fund..... 49.88%	
	General Fund..... 50.12%	
4510-0150	For the managed care program at community health centers known as CenterCare established pursuant to section 24F of chapter 111 of the General Laws; provided, that the monthly number of clients enrolled in said program shall not exceed the average monthly enrollment in said program for fiscal year 1997; provided further, that the department may assist professional and nonprofit agencies dedicated to the advancement of the scope and nature of services delivered in communities and community health centers and to pursue available federal technical assistance funding; and provided further, that \$220,350 shall be expended on a statewide program of technical assistance to community health centers to be provided by a state primary care association qualified under section 330(f)(1) of the United States Public Health Service Act at 42 USC 254c	4,347,350
	Health Care Access Fund..... 100.0%	
4510-0600	For an environmental and community health hazards program, including control of radiation and nuclear hazards, consumer products protection, food and drugs, lead poisoning prevention in accordance with chapter 482 of the acts of 1993, lead-based paint inspections in day care facilities, inspection of radiological facilities, licensing of	

x-ray technologists, and the administration of the division of environmental epidemiology and toxicology for the purpose of implementing certain provisions of chapter 470 of the acts of 1983, the "Right-to-Know" law, so-called; provided, that the expenditures from this item for the fair packaging and labeling survey program shall be contingent upon the prior approval of the proper federal authorities for reimbursement of 100 per cent of the amounts so expended; provided further, that \$50,000 shall be obligated for a contract to provide an environmental risk assessment of the incidence of cancer in the town of Natick, including the costs of a public health nurse or epidemiologists; provided further, that not less than \$150,000 to authorize and direct the department of public health to conduct a brain tumor/cancer, leukemia, non-Hodgkin lymphoma, lung and bronchus, liver and IBD, and Hodgkin disease in the town of Rockland; provided further, that not less than \$114,000 shall be expended on the implementation of a program to manage the disposal of low-level radioactive waste in accordance with sections 7, 8, 11, 13, and 16 of chapter 111H of the General Laws; and provided further, that no funds appropriated herein shall be expended for the purpose of siting or locating a low-level radioactive waste facility in the commonwealth

3,187,144

4510-0615 The department of public health is hereby authorized to expend an amount not to exceed \$150,000 from assessments collected in accordance with section 5K of chapter 111 of the General Laws for services provided to monitor, survey and inspect nuclear power reactors; provided, that the department is hereby further authorized to expend revenues not to exceed \$591,216 from fees collected from the licensing and inspecting of users of radioactive material within the commonwealth under licenses presently issued by the nuclear regulatory commission; and provided further, that revenues collected may be used for all program costs, including the compensation of employees

741,216

4510-0616 For a drug registration and monitoring program; provided, that the department of public health may expend an amount not to exceed \$521,281 from revenues collected from a fee charged to registered practitioners, including physicians, dentists, veterinarians and podiatrists, for controlled substance registration; provided further, that funds may be expended from this item for the costs of personnel; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system

521,281

4510-0617 For environmental monitoring of the nuclear power plant in Seabrook, New Hampshire; provided, that the radiation control program shall evaluate, implement and conduct a

program of environmental radiological monitoring of nuclear power plants; provided further, that said program shall include a continuous real-time environmental radiological monitoring system for Massachusetts cities and towns located within the emergency planning zone of said nuclear power plant in Seabrook, New Hampshire; provided further, that should said department contract with a private contractor for services to provide said monitoring, then notwithstanding the provisions of any general or special law to the contrary, the provisions of section 29A of chapter 29 shall be applicable; provided further, that the inspector general shall conduct a review of said contract to ensure that the provisions of chapter 12A have been complied with; provided further, that said contract shall be subject to review by the senate and house committees on post audit and oversight; provided further, that the cost of said item may be assessed on electric companies in Massachusetts which own, in whole or in part, or purchase power from the Seabrook nuclear power plant, whose nuclear power plant area, as defined by section 2B of chapter 650, and as amended by section 24 of chapter 796 of the acts of 1979, includes communities located in the commonwealth; provided further, that for the purposes of said item electric companies shall be defined as all persons, firms, associations and private corporations which own or operate works or distribute electricity in the commonwealth; provided further, that the term electric companies shall not include municipalities or municipal light plants; and provided further, that the department of public health shall make quarterly payments to any private research and education foundation providing these services under contract to the department .

87,150

4510-0710 For the administration of the division of health care quality; provided, that said division shall be responsible for assuring the quality of patient care provided by the commonwealth's health care facilities and services, and for protecting the health and safety of patients who receive care and services in nursing homes, rest homes, clinical laboratories, clinics, institutions for the mentally retarded and the mentally ill, hospitals and infirmaries, including the inspection of ambulance services

5,289,671

4510-0712 The department is hereby authorized to expend an amount not to exceed \$473,500 in revenues collected from the licensure of health facilities; provided, that the department is hereby authorized to collect revenues of not less than \$175,000 from the licensure of mammography facilities; and provided further, that revenues collected may be used for all program costs, including the compensation of employees

473,500

4510-0750 For the determination of need program established pursuant to section 25C of chapter 111 of the General Laws

135,820

4510-0790 For regional emergency medical services; provided, that the regional emergency medical services councils designated as such in accordance with 105 CMR 170.101 and the

C-MED communications as of January 1, 1992 shall remain the designated councils and C-MEDs; and provided further, that not less than \$68,000 shall be made available for region 1, not less than \$88,000 shall be made available for region 2, not less than \$88,000 shall be made available for region 3, not less than \$88,000 shall be made available for region 4, and not less than \$68,000 shall be made available for region 5 400,000
 Local Aid Fund..... 100.0%

- 4510-0810 For a statewide sexual assault nurse examiner program (SANE) for the care of victims of sexual assault who are 16 years of age and older; provided, that the program shall operate under specific protocols and by an on-call system of said nurse examiners established by the department 200,000
- 4512-0103 For acquired immune deficiency syndrome prevention and treatment; provided, that not less than \$679,000 shall be expended on comprehensive family planning providers for AIDS prevention education; provided further, that \$2,000,000 shall be expended from this item for early screening and treatment necessary to reduce hospitalization and avoid medicaid costs by delaying the onset of fully symptomatic AIDS; and provided further, that not less than \$600,000 shall be expended for combination drug therapy services..... 49,618,634
 General Fund..... 93.27%
 Health Protection Fund..... 6.73%
- 4512-0110 For rental housing subsidies for the purposes of preventing institutionalization in acute hospitals, chronic hospitals, and nursing homes; provided, that the department may contract for the administration of said program; provided further, that the costs of said administrative contract shall not be expended from this item; provided further, that rents payable by tenants shall be not less than 30 per cent of total household income if heat and cooking fuel are provided by the landlord and shall be not less than 25 per cent of total household income if heat and cooking fuel are not provided; provided further, that no funds shall be expended for subsidies for housing units in excess of the number of units funded on June 30, 1991; and provided further, that the department shall not enter into any new housing contracts or expend funds for such new contracts in fiscal year 1998 that would fund units in excess of the number of units funded on June 30, 1997..... 118,800
- 4512-0200 For the administration of the division of substance abuse services, including a program to reimburse driver alcohol education programs for services provided for court adjudicated indigent clients; provided, that not less than \$9,843,259 shall be expended for detoxification services, including not less than \$2,000,000 for detoxification beds targeted to homeless individuals; provided further, that not less than \$500,000 shall be expended for AIDS education for clients served by said program; provided further, that not less than \$615,000 shall be expended for the Celeste House; provided further, that not less than

\$66,000 shall be expended for the "CASPAR" emergency service center, so-called in Cambridge; provided further, that not less than \$650,350 shall be expended for a contract with Sobriety Treatment, Education and Prevention, Inc., doing business as STEP, Inc.; provided further, that not less than \$350,000 shall be allocated to provide three pilot child care programs, one family day care system model and two on-site traveling models for the children of parents in ambulatory drug and alcohol treatment; provided further, that not less than \$500,000 shall be expended for the treatment and detoxification of intravenous drug users who test positive for HIV, so-called; provided further, that not less than \$200,000 shall be expended for a residential program to provide alcohol and drug treatment services to Hispanic women in the commonwealth; provided further, that not less than \$250,000 shall be expended for a system of case management and central intake for substance abuse treatment services in the city of Boston; provided further, that not less than \$80,000 shall be expended for substance abuse consultant services for the department of social services; provided further, that the commissioner of the department of public health is hereby authorized and directed to enter into an interagency service agreement with the department of social services to provide said consulting services; provided further, that \$240,000 shall be expended for additional detoxification services; provided further that \$400,000 shall be expended for an acute treatment program for detoxification and stabilization services for civilly committed women; provided further, that not less than \$60,000 shall be allocated for Bay Colony Health Services, Inc.; provided further, that not less than \$2,000,000 shall be allocated to expand the purchase of long-term residential treatment beds operated by agencies contracting with the department of public health as of January 1, 1996; provided further, that not less than \$2,000,000 shall be expended for the purchase of outpatient treatment services to high risk populations in agencies contracted with the department of public health as of January 1, 1996; provided further, that not less than \$72,000 of said allocation shall be expended for the Tynan Community Center Adolescent Wellness program in the city of Boston; provided further, that no less than \$58,420 shall be expended for a contract with Gavin House to provide a pilot total immersion program in conjunction with the probation department of the South Boston division of the district court department of the trial court; provided further, that not less than \$70,000 be expended for a department of public health certified New Bedford batterer intervention program; provided further, that not less than \$60,000 be expended for the McLaughlin House in Charlestown; provided further, that not less than \$200,000 shall be allocated from this item to Beacon Substance Abuse Programs for programs including but not limited to alcohol, drug and tobacco prevention; provided further, that the department of public health shall conduct a study to produce an inventory of all

caseloads and expenditures for substance abuse and rehabilitation programs; and provided further, that not less than \$500,000 shall be expended for drug treatment and associated services to Children in Need of Services (CHINS); provided further, that \$180,000 shall be expended for the establishment of a pilot adolescent residential facility for substance abuse and rehabilitation services in the South Boston section of the city of Boston .

41,861,532

General Fund 83.23%
Health Protection Fund 16.77%

4512-0225 The department is hereby authorized to expend for a compulsive gamblers treatment program an amount not to exceed \$1,000,000 from unclaimed prize money held in the State Lottery Fund for more than one year from the date of the drawing when said unclaimed prize money was won; provided, that the state comptroller is hereby authorized and directed to transfer said amount to the General Fund

1,000,000

4512-0500 For dental health services.....

1,312,605

4513-1000 For the administration of the division of family health services, including a program of maternal and child health in addition to any federal funds received for this program; provided, that not less than \$250,000 shall be expended for community-based prenatal outreach and education programs targeted to those communities with severe infant mortality issues; provided further, that not less than \$24,362,573 shall be expended for early intervention services; provided further, that the department shall report quarterly to the house and senate committees on ways and means the total number of units of service purchased and the total expenditures for said units of service paid by the department, the division of medical assistance, and by private payers for early intervention services for each of the following units: home visit, center-based individual, child focused group, parent focused group, screening, and assessment; provided further, that the department shall fund not less than 39 full time equivalent employees for the early intervention program; provided further, that the department shall make all reasonable efforts to secure third party and Medicaid reimbursements for the early intervention services funded herein; provided further, that nothing herein shall give rise to enforceable legal rights to any such services or an enforceable entitlement to the early intervention services funded herein; provided further, that nothing stated herein shall be construed as giving rise to such enforceable legal rights or such enforceable entitlement; provided further, that notwithstanding any general or special law to the contrary, the funds made available herein shall be the only state funds available for said early intervention program, and the department shall not spend funds for said program in excess of the amount made available herein; provided further, that not less than \$107,000 be expended for the Our Babies/Our Future program; provided further, that \$200,000 shall be expended for the "Women Enjoying

Longer Lives” program; provided further, that not less than \$100,000 be expended for the purposes of section 51 of chapter 111 of the General Laws and section 10 of chapter 218 of the acts of 1995; provided further, that said department shall file a report with the joint committee on health care no later than December 31, 1997 for the purpose of establishing a mechanism for the collection of data concerning the implementation of and hospital compliance with chapter 218 of the acts of 1995; provided further, that not less than \$35,000 be expended for the Framingham teen parenting program; provided further, that an amount not to exceed \$500,000 may be expended for reimbursements to providers for early intervention services rendered in the prior fiscal year resulting from a denial of third party reimbursement claims; provided further, that not less than \$1,946,000 shall be expended for rape prevention and victim services; provided further, that not less than \$4,263,000 shall be expended for family planning services provided by agencies certified as comprehensive family planning agencies; provided further, that not less than \$75,000 shall be expended for a program for the promotion of preventive medicine through physical fitness and sports activities in the commonwealth to be administered by the governor’s committee on physical fitness and sports; provided further, that not less than \$1,290,063 shall be expended for school and community-based teen health programs; provided further, that not less than \$200,000 shall be provided to the Northeastern University conflict resolution program; provided further, that not less than \$79,200 shall be expended for the North Quabbin domestic violence prevention program created in this act; provided further, that not less than \$100,000 shall be expended for Latinas y Ninos to provide a full-time child advocate-parent educator specialist to attend to the needs of Latino women in recovery with a focus on pregnant women, new parents, and/or mothers recently reunified with children; and provided further, that \$35,000 be allocated from this item to the Men Overcoming Violence (MOVE) program; and provided further, that not less than \$750,000 shall be expended for state-wide programs that provide suicide prevention outreach to gay and lesbian youth

34,292.836

Health Protection Fund	24.82%
General Fund	75.18%

4513-1002

For women, infants, and children’s (WIC) nutrition services in addition to funds received under the federal nutrition program; provided, that all new WIC cases, in excess of fiscal year 1991 caseload levels, shall be served in accordance with priority categories one to seven, inclusive, as defined by the state WIC program; provided further, that within thirty 30 days of the effective date of this act, the department shall report to the house and senate committees on ways and means the total number of cases which can be supported with funds from this item without incurring a deficiency; provided further, that the department shall report quarterly to the house and senate committees

	on ways and means the total number of clients served per month and the total food voucher expenditures per month for the WIC program; and provided further, that not less than \$602,000 shall be obligated for failure to thrive programs	14,110,801
	General Fund	87.03%
	Health Protection Fund	12.97%
4513-1005	For the healthy start program to provide medical care and assistance to pregnant women and infants residing in the commonwealth pursuant to section 24D of chapter 111 of the General Laws; provided, that pursuant to an interagency agreement established with the division of medical assistance, the department of public health shall determine the presumptive eligibility of low-income pregnant women for services available under Title XIX and chapter 118E of the General Laws.....	6,526,113
	Health Protection Fund	34.66%
	General Fund	65.34%
4513-1012	The department of public health may expend an amount not to exceed \$20,500,000 from revenues received from the infant formula price enhancement system, for the purpose of increasing the caseload of the WIC program.....	20,500,000
4513-1111	For an osteoporosis education and prevention program; provided, that the program shall include, but not be limited to: (1) development or identification of educational material to promote public awareness of the cause of osteoporosis, options for prevention, the value of early detection, and possible treatments, including their benefits and risks, to be made available to consumers, particularly targeted to high risk groups; (2) development or identification of professional education programs for health care providers; and (3) development and maintenance of a list of current providers of specialized services for prevention and treatment of osteoporosis	500,000
	Health Protection Fund	35.39%
	General Fund	64.61%
4513-1112	For a prostate cancer prevention, education, and treatment program.....	1,000,000
4516-1000	For the administration of the center for laboratory and communicable disease control, including the division of communicable venereal diseases, the division of tuberculosis control, and the state laboratory institute; provided, that the department shall give priority to services to analyze samples used in prosecution of controlled substances offenses; provided further, that not less than \$263,240 shall be expended for the maintenance of the statewide rabies control program coordinated by the department of public health providing assistance to cities, towns, and the public, and for the interagency collaboration through the rabies advisory committee, the 24 hour epidemiological and clinical consultation for rabies exposures, the rapid laboratory diagnostic services, and for the continuation of the raccoon rabies vaccine field trial on Cape Cod	

	operated through a contract with Tufts university school of veterinary medicine in collaboration with the federal Centers for Disease Control and Prevention; provided further, that funds shall be expended for an eastern encephalitis testing program and for tuberculosis testing and treatment services; and provided further, that no funds appropriated herein shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded herein	10,520,726
4518-0100	For the health statistics program and for the operation of a cancer registry and occupational lung disease registry Health Protection Fund..... 35.75% General Fund 64.25%	1,044,485
4518-0200	The department is hereby authorized to expend an amount not to exceed \$200,000 generated by fees collected from the following services: amendments of vital records by the registrar of vital records and statistics, all requests for vital records not issued in person at the offices of the registry, and research requests performed by registry staff at the registry of vital records; provided, that revenues so collected may be used for all program costs, including the compensation of employees; provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system	200,000
4530-9000	For teenage pregnancy prevention services; provided, that applications for such funds shall be administered through the department upon receipt and approval of coordinated community service plans to be evaluated in accordance with guidelines issued by the department; provided further, that portions of said grants may be used for state agency purchases of designated services identified by said community service plans; provided further, that not less than \$100,000 shall be expended for such plans and programs in Berkshire County; and provided further, that \$100,000 shall be expended for teen pregnancy prevention services and associated costs in the town of Orange.....	4,283,882
4540-0900	For the maintenance of and for certain improvements to the department of public health hospitals; provided, that Tewksbury hospital shall not be used to house county, state or other prisoners; provided further, that the department shall take no action to reduce or realign the client population and services at the Tewksbury state hospital unless such action results in alternative service delivery in an appropriate and cost-effective method of care; provided further, that staffing configurations at said hospital shall be consistent with said client population and service realignment; provided further, that not less than \$25,000 shall be expended for an adult day service program; provided further, that no funds appropriated herein shall be expended for administrative, space or energy expenses of	

	the department not directly related to personnel or programs funded herein; and provided that not less than \$15,000 shall be paid for chaplain services at Tewksbury state hospital	24,270,978
4570-1500	<p>For an early breast cancer detection program, mammographies for the uninsured, breast cancer research, and a breast cancer detection public awareness program; provided, that not less than \$1,500,000 shall be expended for the purposes of a scientific research grant program to investigate potential environmental factors that contribute to breast cancer in "areas of unique opportunity"; provided further, that not less than \$2,000,000 shall be expended for a breast cancer research grant program to support innovative research by investigators who are in the formative stages of their careers; provided further, that the department shall name one of the said research grants the "Suzanne Sheats Breast Cancer Research Fellowship"; provided further, that said research grants shall be awarded to investigators, post-doctoral fellows and assistant professors who are within ten years after completion of their highest degree or within ten years after completion of clinical training; provided further, that members of any selection review committee for the breast cancer research grant program shall be subject to chapter 268A and shall not participate in the review or recommendation of an application filed by an organization with which they are affiliated; provided further, that such members may participate in the review and recommendations of applications filed by organizations with which they are not affiliated; provided further, that \$500,000 shall be expended for research grants for experienced researchers, subject to the receipt of matching funds from public or private sources; and provided further, that the department shall obligate an additional \$1,000,000 to breast cancer screening over the amounts obligated in fiscal year 1997...</p> <p>General Fund 94.19%</p> <p>Health Protection Fund 5.81%</p>	8,200,269
4580-1000	<p>For the universal immunization program established pursuant to section 141 of chapter 653 of the acts of 1989 and section 45 and 46 of chapter 495 of the acts of 1991; provided that an amount not to exceed \$250,000 shall be made available for the provision of hepatitis B vaccine and vaccination series for the state, county, and municipal employees at risk of occupational exposure to infection; provided, that no funds appropriated herein shall be expended for administrative or energy expenses of the department not directly related to personnel or programs funded herein; and provided further, that space rental expenditures from this item in fiscal year 1998 shall not exceed the cost of said expenditures in fiscal year 1996.....</p> <p>Health Care Access Fund..... 100.0%</p>	11,920,102
4580-1230	<p>For medical respite services provided by the health care for the homeless program established pursuant to section 24F of chapter 111 of the General Laws.....</p> <p>Health Care Access Fund..... 100.0%</p>	300,000

4590-0300

For the smoking prevention and cessation program established pursuant to chapter 254 of the acts of 1992; provided, that not less than \$4,314,662 shall be allocated from this item to the executive office of public safety to administer a discretionary grant program for city and town drug awareness and resistance education programs, to be known as D.A.R.E. programs, which shall include information about the health risks of cigarette smoking and shall include the participation of local and state police officers, subject to the supervision of the department of public health; provided further, that the salary of the statewide D.A.R.E. coordinator shall be paid from said allocations; provided further, that priority shall be given to funding programs in communities with high smoking rates among women; provided further, that not less than \$12,081 of said \$4,314,662 shall be expended for the "Here's Looking at You 2,000" and "Pals for Wellness" drug education programs, so-called, in the town of Cohasset; provided further, that not less than \$13,806,919 shall be allocated from this item to the department of education for grants to cities, towns and regional school districts for comprehensive health education programs, including education on smoking prevention; provided further, that any funds distributed under this item shall be deposited with the treasurer of any such city, town or regional school district, held in a separate account and expended without further appropriation by the school committee; provided further, that not less than \$5,177,595 shall be expended from this item for a school health service program, including enhanced school and health centers; provided further, that programs funded in this item shall include an educational component and campaign on smokeless tobacco; provided further, that the department of public health and the department of education shall jointly establish standards and criteria for said school health service programs; provided further, that not less than \$1,147,700 shall be expended for tobacco control coalitions; provided further, that not less than \$215,733 shall be expended for a discretionary grant program available to nonprofit organizations operating satellite programs which provide outreach services to teenagers involving substance abuse prevention, health programs and community service in the context of recreation and youth development; provided further, that not less than \$1,078,666 shall be expended for the student awareness of fire education program (S.A.F.E.); provided further, that said amount shall be allocated to the executive office of public safety to administer a discretionary grant program for city and town student awareness of fire education programs, which shall include information about the fire risks caused by smoking; provided further, that no funds shall be expended from this item for an interagency service agreement with the department of revenue; provided further, that no funds appropriated herein shall be expended for administrative, space leasing or energy expenses of the department; provided further, that

\$200,000 shall be allocated from this item to the Berkshire County area health education center, inc. for programs including but not limited to alcohol, drug and tobacco prevention; and provided further, that said \$200,000 shall be in addition to any amount previously made available for this purpose.....

55,821,775

Health Protection Fund..... 100.0%

4590-0900

The department is hereby authorized to expend an amount not to exceed \$77,997,152 from reimbursements collected for hospital services, subject to the approval of the commissioner of public health; provided, that such revenues may be expended for the purpose of hospital related costs, including personnel, capital expenditures, and motor vehicle replacement; provided further, that all revenues expended shall be pursuant to schedules submitted to the secretary of administration and finance and the house and senate committees on ways and means; provided further, that notwithstanding the provisions of any general or special law to the contrary, the western Massachusetts hospital shall be eligible to receive and retain full reimbursement from the medical assistance program of the division of medical assistance; provided further, that notwithstanding the provisions of any general or special law to the contrary, said western Massachusetts hospital shall reimburse the General Fund for a portion of employee benefit expenses, according to a schedule submitted by the commissioner of public health and approved by the secretary of administration and finance; provided further, that such reimbursement shall not exceed 10 per cent of total personnel costs for said hospital; provided further, that the department shall take no action to reduce or align the client population and services at the Tewksbury state hospital unless such action results in alternative service delivery in an appropriate and cost effective method of care; provided further, that said staffing configurations at said hospital shall be consistent with said client population and service realignment; provided further, that funds may be expended from this item for the costs of personnel; provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that no funds appropriated herein shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded herein; and provided further, that reimbursements received for medical services provided at the Lemuel Shattuck hospital to inmates of county correctional facilities not managed by private health care vendors shall be credited to item 4590-0903 of section 2B of this act

77,997,152

4590-0902

For the Tewksbury hospital school of nursing; provided, that the department shall study the possibilities of coordinating

the licensed practical nurse training with similar programs offered by area public institutions of higher learning; and provided further, that said study shall be submitted to the house and senate committees on ways and means no later than February 21, 1998..... 329,506

4590-0906 For the children’s medical security plan to provide primary and preventive health services for uninsured children from birth through age 12 pursuant to the provisions of chapter 111E of the General Laws; provided, that the department shall pre-screen enrollees and applicants for medicaid eligibility; provided further, that no funds shall be expended from this item for expenses incurred in the prior fiscal year; provided further, that the department shall maximize federal reimbursement for state expenditure made on behalf of said children; provided further, that the department shall close enrollment or promulgate regulations that adjust eligibility, benefits and other requirements to limit expenditures to the amount appropriated herein; provided further, that the amount appropriated herein shall be the total amount expended for the current fiscal year; and provided further, that the department shall negotiate with the vendor of said program to ensure that rates paid for the administration of the program do not exceed such rates as are necessary to meet only those costs which must be incurred for an economically and efficiently operated program; provided further, that not less than \$300,000 shall be provided for grants to community based organizations for outreach activities 12,609,420
Health Care Access Fund..... 100.0%

4590-0907 For primary and preventive health services for uninsured children 13 through 18 years of age pursuant to the provisions of section 24G of chapter 111 of the General Laws..... 5,731,000
Children’s and Senior’s Healthcare
Assistance Fund..... 100.0%

Federal Appropriations

4500-1000 For the purposes of a federally funded grant entitled, Preventive Health Services Block Grant; provided, that not less than \$450,000 shall be obligated to the emergency medical services regions; and provided further, that not less than \$585,000 be obligated for rape prevention and victim services 5,795,262

4500-2000 For the purposes of a federally funded grant entitled, Maternal and Child Health Services Block Grant; provided that the department shall review and assess the process by which it allocates resources under the appropriation; provided further that the said process shall involve the use of a needs assessment that clearly considers the magnitude, severity, and degree of risk for identified health problems within individual communities; and provided further, that a specific focus will be taken to support programs serving communities and neighborhoods with high poverty rates..... 12,801,427

4502-1012 For the purposes of a federally funded grant entitled, Cooperative Health Statistics System..... 380,000

4510-0109	For the purposes of a federally funded grant entitled, State Loan Repayment Project	250,000
4510-0113	For the purposes of a federally funded grant entitled, Massachusetts Office of Rural Health	47,000
4510-0118	For the purposes of a federally funded grant entitled, Primary Care Cooperative Agreement	103,247
4510-0400	For the purposes of a federally funded grant entitled, Medicare and Medicaid Survey and Certification.....	4,797,978
4510-0500	For the purposes of a federally funded grant entitled, Clinical Laboratory Improvement Amendments	597,564
4510-0618	For the purposes of a federally funded grant entitled, HARP...	38,842
4510-9014	For the purposes of a federally funded grant entitled, Mammography Quality Standards Act Inspections.....	215,959
4510-9019	For the purposes of a federally funded grant entitled, Environmental Monitoring Program.....	75,000
4510-9040	For the purposes of a federally funded grant entitled, Diabetes Control Program.....	356,910
4510-9043	For the purposes of a federally funded grant entitled, Demonstration Program to Conduct Toxic Waste Site Impact Health Assessments	365,969
4510-9048	For the purposes of a federally funded grant entitled, Indoor Radon Development Program.....	170,615
4512-0102	For the purposes of a federally funded grant entitled, Sexually Transmitted Disease Control	826,782
4512-0179	For the purposes of a federally funded grant entitled, Vaccination Assistance Project	9,487,374
4512-9415	For the purposes of a federally funded grant entitled, Boston Drug Treatment Improvement Project	651,966
4512-9425	For the purposes of a federally funded grant entitled, Massachusetts Critical Populations	687,317
4512-9426	For the purposes of a federally funded grant entitled, Uniform Alcohol and Drug Abuse Data Collection	103,566
4512-9427	For the purposes of a federally funded grant entitled, State Demand and Needs Assessment Studies/Alcohol and Other Drugs (Treatment)	793,457
4512-9428	For the purposes of a federally funded grant entitled, State Demand and Needs Assessment Studies/Alcohol and Other Drugs (Prevention)	150,000
4512-9429	For the purposes of a federally funded grant entitled, HIV/STD/TB Risk Reduction.....	396,336
4513-0110	For the purposes of a federally funded grant entitled, Supportive Housing.....	715,825
4513-0111	For the purposes of a federally funded grant entitled, Housing Opportunities-People with AIDS.....	702,050
4513-9000	For the purposes of a federally funded grant entitled, WIC Patient Flow Analysis	85,000

4513-9007	For the purposes of a federally funded grant entitled, Nutritional Status of Women, Infants and Children (WIC); provided, that the department shall report quarterly to the secretary of administration and finance, the joint committee on federal financial assistance, and the house and senate committees on ways and means on all expenditures from this item and the state nutrition program for women, infants and children, including the numbers of participants in each program.....	56,325,561
4513-9018	For the purposes of a federally funded grant entitled, Augmentation and Evaluation of Established Health Education/Risk Reduction Program.....	7,513,149
4513-9021	For the purposes of a federally funded grant entitled, Program for Infants and Toddlers with Handicaps.....	8,621,533
4513-9022	For the purposes of a federally funded grant entitled, Prevention Disability State Based Project	443,844
4519-9101	For the purposes of a federally funded grant entitled, WIC/Immunization Linkage Project.....	14,000
4513-9026	For the purposes of a federally funded grant entitled, Families C.A.N. - Care and Nurturance for At-Risk Families.....	450,000
4513-9027	For the purposes of a federally funded grant entitled, Massachusetts Care - Community AIDS Resource Enhancement.....	418,031
4513-9030	For the purposes of a federally funded grant entitled, Planning a Comprehensive Primary Care System for All Massachusetts Children and Youth	100,000
4513-9031	For the purposes of a federally funded grant entitled, EMS for children	150,000
4513-9035	For the purposes of a federally funded grant entitled, AIDS Surveillance	550,903
4513-9037	For the purposes of a federally funded grant entitled, Ryan White Comprehensive AIDS Resources	4,836,051
4513-9038	For the purposes of a federally funded grant entitled, Shelter Plus Care - Worcester.....	159,000
4513-9041	For the purposes of a federally funded grant entitled, Managed Care Enhancement Project	310,882
4513-9044	For the purposes of a federally funded grant entitled, Evaluating Impact of 1993 AIDS CASE Definition	348,503
4513-9045	For the purposes of a federally funded grant entitled, MA Women's HIV Advocacy Project	267,572
4513-9046	For the purposes of a federally funded grant entitled, Congenital Anomalies Center for excellence.....	800,000
4513-9047	For the purposes of a federally funded grant entitled, Firstlink Community Organization Project	50,000
4513-9048	For the purposes of a federally funded grant entitled, Mass. Initiative for the Youth with Disabilities	28,000

4513-9049	For the purposes of a federally funded grant entitled, Firstlink Data Utilization Enhancement.....	90,000
4513-9050	For the purposes of a federally funded grant entitled, MAXCARE: Maximizing Children's Health and Safety in Child Care.....	50,000
4513-9051	For the purposes of a federally funded grant entitled, Rural Domestic Violence and Children Victimization Project	139,591
4515-0113	For the purposes of a federally funded grant entitled, Health Program for Refugees.....	135,841
4515-0115	For the purposes of a federally funded grant entitled, Tuberculosis Control Project (317)	2,559,659
4516-1004	For the purposes of a federally funded grant entitled, Active Rabies Surveillance Program	62,300
4516-1015	For the purposes of a federally funded grant entitled, Training Network Grant.....	10,000
4518-0500	For the purposes of a federally funded grant entitled, National Program of Cancer Registries.....	643,833
4518-1000	For the purposes of a federally funded grant entitled, Procurement of Information for the National Death Index (NDI).....	29,176
4518-1002	For the purposes of a federally funded grant entitled, Social Security Administration - Massachusetts Death File	48,479
4518-1003	For the purposes of a federally funded grant entitled, Massachusetts Birth Records for Social Security Administration	137,535
4518-9022	For the purposes of a federally funded grant entitled, Sentinel Event Notification System for Occupational Risks.....	180,000
4518-9023	For the purposes of a federally funded grant entitled, Census of Fatal Occupational Injuries	27,000
4518-9025	For the purposes of a federally funded grant entitled, Fatality Surveillance and Field Investigations at the State Level.....	95,000
4540-8200	For the purposes of a federally funded grant entitled, Transitional Housing/Shattuck Shelter	122,000
4570-1503	For the purposes of a federal grant entitled, Comprehensive Breast and Cervical Early Detection Program	3,800,000
4570-1504	For the purposes of a federal grant entitled, Prostate Cancer Early Detection Demonstration Project	121,184
4570-1505	For the purposes of a federal grant entitled, Skin Cancer Primary Prevention and Education	100,000
4570-1600	For the purposes of a federal grant entitled, Newcomer Women's Health Planning.....	2,500

Department of Social Services.

Notwithstanding any provision of any general or special law to the contrary, the department of social services shall report monthly to the house and senate committees on

ways and means and to the secretary of administration and finance the current social worker caseloads by type of case and level of social worker assigned to cases.

Notwithstanding any provision of general or special law to the contrary, the department of social services shall report quarterly to the house and senate committees on ways and means and the secretary of administration and finance the amount expended on women-at-risk services; provided, that said report shall include the number of service units by category, utilization by category, and cost by category.

Notwithstanding any provision of general or special law to the contrary, the department of social services shall not authorize purchased social services at a level that will cause expenditures to exceed appropriations; provided, that social services shall be maintained and expenditures allocated in such a manner that will not cause said services to be terminated prior to the end of the fiscal year.

Notwithstanding any provision of general or special law to the contrary, the department of social services shall report monthly to the house and senate committees on ways and means and the secretary of administration and finance, the amount expended on permanency services; provided, that said report shall include the total number of children with the goal of adoption and guardianship by region, the number of new cases with the goal of adoption and guardianship by region and the number of adoptions finalized by region.

Notwithstanding any provision of general or special law to the contrary, if the commissioner of the department of social services determines that funds made available pursuant to items 4800-0016, 4800-0017, 4800-0020, 4800-0030 and 4800-0041 are insufficient to fund the services for which said items may be expended, the commissioner may reallocate up to 15 per cent of the funds appropriated in each of said items among said items after providing 30 days prior written notice to the house and senate committees on ways and means; provided, however, that no funds may be allocated from item 4800-0020 of section 2 of this act.

State Appropriations

4800-0014	For costs of the revenue management contract, so-called, only; provided, that said costs shall be funded entirely from this item.....	3,400,000
	General Fund.....	75.0%
	Social Services Program Fund.....	25.0%
4800-0015	For central and area office administration; provided, that the department shall not place a child or adolescent referred by or discharged from the care of the department of mental health until said latter department forwards an assessment and recommendation as to whether the child or adolescent may be appropriately placed in foster care or, if due to severe emotional disturbance, is only appropriate for group care; provided further, that the department, in	

consultation with the department of mental health, shall establish guidelines to assist said latter department in making such assessments and recommendations; and provided further, that unless otherwise authorized, all funds, including federal reimbursements, received by the department shall be credited to the General Fund..... 25,210,401

General Fund 90.00%

Social Services Program Fund 10.00%

4800-0016 For the family stabilization program for non-placement families experiencing instability, including, not less than \$2,613,654 for school and community-based young parent programs, parent aides, and education and counseling services; provided, that the department shall pursue the establishment of public/private partnership agreements established for family stabilization services funded from sources other than the commonwealth; provided further, that not less than \$30,000 shall be expended for a contract with big brothers and sisters of Cape Cod and the islands; provided further, that not less than \$69,193 shall be expended for the school age parenting project at Framingham high school; provided further, that not less than \$1,500,000 shall be expended for intensive and expanded parent aid and other support services for families requiring such services for family preservation due to acute conditions; provided further, that not less than \$35,000 shall be expended by the Framingham office of the department of social services for the metro-west campership program operated by the Ashland youth advisory board in partnership with said department; and provided further, that \$50,000 shall be expended for the purpose of providing case management services for the Amity Transitional Housing Program, so-called, of Lynn..... 12,850,623

Social Services Program Fund 60.0%

General Fund 40.0%

4800-0017 For the family unification and reunification program for non-placement families and families whose children are expected to return home following placement including, but not limited to, shelter services, substance abuse treatment, respite care and family reunification networks; provided, that the department shall expend a sum of not less than \$40,000 with a Boys and Girls club in region 1 for a community-based family unification counseling program to prevent juvenile delinquency; provided further, that the department shall pursue the establishment of public/private partnership agreements established for family unification and reunification services funded from sources other than the commonwealth; provided further, that not less than \$250,000 shall be expended for a contract for an integrated family services team in region 6; provided further, that not less than \$120,000 shall be expended for family support, programming, counseling, education, job skills preparation, and integrated child care for participants in region 6; and provided further, that not less than \$298,000 shall be expended for alternative schools for

	students aged 14 to 16, inclusive, who are placed before the court on children in need of services petitions (CHINS) in region 6	25,327,648
	General Fund	85.0%
	Social Services Program Fund	15.0%
4800-0020	For permanency and adoption services, including the provision of adoption and guardianship subsidies; provided, that no funds shall be expended to provide subsidies to adoptive parents for children no longer in their care; provided further, that the department shall assess all children in its care for longer than 12 months for the appropriateness of adoption; provided further, that the department shall maintain a central registry and tracking system to monitor the progress of such children in the adoption process; provided further, that the department may contract with community-based agencies for the purpose of providing adoption and special needs adoption services; and provided further, that the department shall expend not less than \$3,200,000 for the purchase of special needs adoption contracts located at community-based agencies...	54,261,375
4800-0025	For foster care review services.....	2,066,347
4800-0030	For foster care services, including foster care subsidies, services to foster families and reimbursements to foster parents for extraordinary expenses incurred; provided, that the department shall establish a schedule of fees for services which shall vary with the ability of the recipient's legal family to pay; provided further, that said fees shall be imposed regardless of whether a placement is voluntary or results from an order of a court of competent jurisdiction; provided further, that no fees shall be charged to individuals and families with incomes at or below 150 per cent of the federal poverty level; and provided further, that the foster care daily rate paid for subsidies in fiscal year 1998 shall be equal to the daily rate paid in fiscal year 1997, except those rate increases made pursuant to the tiered reimbursement system, so-called, established in section 566 of chapter 151 of the acts of 1996	64,713,464
	General Fund	65.0%
	Social Services Program Fund	35.0%
4800-0036	For a sexual abuse intervention network (SAIN) program to be administered in conjunction with the district attorneys in the counties of Barnstable, Berkshire, Bristol, Dukes, Essex, Franklin, Hampden, Hampshire, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk and Worcester; provided, that said program for Barnstable, Dukes, and Nantucket counties shall receive not less than \$80,000 from this item; and provided further, that said program in Suffolk county shall receive not less than \$75,000 from this item	695,000
	General Fund	73.5%
	Social Services Program Fund	26.5%

4800-0041	For group care services; provided, that the department shall establish a schedule of fees for services which shall vary with the ability of the recipient's legal family to pay; provided further, that said fees shall be imposed regardless of whether the placement is voluntary or results from an order of a court of competent jurisdiction; provided further, that no fees shall be charged to individuals and families with incomes at or below 150 per cent of the federal poverty level; provided further, that unless otherwise authorized to be expended any federal reimbursements received for this purpose shall be credited to the General Fund; and provided further, that the department shall pursue the establishment of a managed care network for the commonworks program, so-called	96,145,002
	General Fund..... 70.0%	
	Social Services Program Fund..... 30.0%	
4800-0050	For the operation of the New Chardon street home for women located in the city of Boston.....	745,311
4800-0150	For the administration of the area offices; provided, that the department shall not enter into rental agreements, move, or expand any existing space that would result in the expenditure of funds exceeding the amount appropriated herein; and provided further, that an area office shall be maintained in the Beverly area	21,030,761
	General Fund..... 90.0%	
	Social Services Program Fund..... 10.0%	
4800-0151	For a program to provide alternative overnight non-secure placements for status offenders and nonviolent delinquent youth up to the age of 17 in order to prevent the inappropriate use of juvenile cells in police stations for such offenders, in compliance with the federal juvenile justice and delinquency prevention act of 1974, as amended in 1988	750,880
4800-1100	For case management services, including a sufficient number of registered nurses to provide medical case management for medically-involved children in foster care, and for social workers and their expenses	83,515,013
	General Fund..... 85.0%	
	Social Services Program Fund..... 15.0%	
4800-1101	For social worker caseload mitigation; provided, that funds from this item shall be expended for new social workers for the explicit purpose of mitigating social worker caseloads in those area offices furthest above the statewide weighted caseload standard, so-called; and provided further, that no funds from this item shall be expended for any purpose not specifically referenced herein.....	500,000
4800-1111	The department of social services, for the purposes of the foster care program and subject to the provisions of item 4800-0030 of section 2, may expend an amount not to exceed \$20,000,000 from federal revenues collected pursuant to the provisions of Title IV-E of the social security act; provided, that before depositing any revenue in this	

	account, the department of social services shall first deposit at least \$65,960,224 in Title IV-E revenues in the General Fund.....	20,000,000
4800-1115	The department of social services, for the purposes of the permanency, foster care, and group care programs, and social worker expenses and subject to the provisions of items 4800-0020, 4800-0030, 4800-0041 and 4800-1100 of section 2, may expend an amount not to exceed \$6,000,000 from federal revenues collected pursuant to the provisions of Title II, Title IV-D, Title IV-E, Title XVI and Title XIX of the social security act and from the department's sliding fee collections; provided, that the department shall establish monthly benchmarks for the collection of federal reimbursements based on year-end collections of \$91,000,000; provided further, that before depositing any revenue in this account, the comptroller shall certify that the department's federal reimbursement collections are meeting or exceeding said benchmarks; and provided further, that not more than \$1,000,000 shall be expended on social worker expenses	6,000,000
4800-1200	For partnership agencies to provide protective services; provided, that the funds appropriated herein may be expended on contracts serving minority and mentally retarded or handicapped clients	3,018,368
	General Fund..... 65.0%	
	Social Services Program Fund 35.0%	
4800-1400	For women-at-risk shelters and services, including supervised visitation programs; provided, that the department shall pursue the establishment of public/private partnership agreements established for family stabilization services funded from sources other than the commonwealth; provided further, that not less than \$416,850 shall be expended for a contract with the YWCA battered women's shelter in Springfield; provided further, that not less than \$450,000 shall be expended for visitation centers; provided further, that not less than \$10,000 shall be expended for the Melrose alliance against violence; provided further, that not less than \$50,000 shall be expended for Children's Supervised Visitations, Inc. of Framingham; and provided further that not less than \$65,205 shall be expended for the North Quabbin Domestic Violence Prevention Program.....	11,935,362
	Social Services Program Fund 100.0%	
4800-1500	For domestic violence prevention specialists in the department's area offices; provided, that individual consultants receiving payment from this item in fiscal year 1997 shall be converted to state employees in fiscal year 1998; and provided further, that expenditures from this item shall not exceed the amount appropriated herein	463,500
4800-1997	For a reserve to improve the quality of services provided by the department to children in the care of the commonwealth, including but not limited to an enhanced program for recruiting and retaining foster families, including but	

not limited to the use of tiered reimbursement, so-called, to promote the placement of children with special medical and social needs who would otherwise be placed in structured group care facilities and the coordination of services provided by the department and the departments of public health, education, transitional assistance, mental health and mental retardation, and the juvenile courts; provided, that not more than \$1,312,001 shall be obligated for the costs of consolidated foster care and adoption recruitment units to allow for targeted recruitment, including the need for cultural and ethnic diversity; provided further, that such units shall recruit, screen, license, and provide Massachusetts approaches to partnership in parenting training for all foster and pre-adoptive families; provided further, that not more than \$8,000,000 shall be obligated for the purpose of developing a tiered reimbursement system for foster care pursuant to section 566 of chapter 151 of the acts of 1996; provided further, that the commissioner is directed to provide quarterly to the joint committee on health and human services and elderly affairs and to the house and senate committees on ways and means detailing the total number of additional foster care placements made during fiscal year 1998 as a result of enhanced recruitment activities; provided further, that said report shall include a separate section detailing the number of additional placements for children with special medical, psychological or social needs that have resulted from said initiatives, and any reduction in group care placements for children with such needs that have resulted from these initiatives; provided further, that not more than \$574,932 shall be obligated for the expenses of not more than 12 attorneys to reduce the size of legal caseloads; provided further, that the department is authorized and directed to work with law enforcement authorities including the attorney general and district attorneys to identify any need for additional legal staffing to eliminate any such backlog of adoption and care and protection cases and shall develop a plan to eliminate any such backlog through the use of contracted or temporary legal services; provided further, that not more than \$100,000 shall be obligated for the costs of attaining licensure as a licensed social worker associate pursuant to section 564 of chapter 151 of the acts of 1996 for social workers currently employed by the department who are not licensed by the board of registration of social workers; provided further, that social workers who have received financial assistance from the department for obtaining said license must remain with the department for such reasonable minimum duration as established by the department or refund part or all of said financial assistance; provided further, that not more than \$275,000 shall be obligated for an enhanced training program for social workers and investigators, so-called; provided further, that not less than \$4,679,390 shall be obligated for the operation of bridge homes, so-called, in each region; provided further, that said bridge homes shall provide extended diagnostic serv-

ices not to exceed 90 days for any child and shall be geographically distributed to allow children in said placements to attend their pre-placement public school whenever possible; provided further, that not less than \$666,667 shall be obligated for child care and respite care services for foster families; provided further, that \$1,250,000 shall be expended for post-adoption services, so-called; and provided further, that no funds shall be transferred from this item to other items for purposes other than those listed herein.....	16,864,044
General Fund.....	70.0%
Social Services Program Fund	30.0%

Federal Appropriations

4800-0005	For the purposes of a federally funded grant entitled, Children’s Justice Act	194,148
4800-0007	For the purposes of a federally funded grant entitled, The Family Violence Prevention Act	505,639
4800-0009	For the purposes of a federally funded grant entitled, Title IV-E Independent Living	639,370
4800-0013	For the purposes of a federally funded grant entitled, Family Preservation and Support.....	3,672,860
4899-0001	For the purposes of a federally funded grant entitled, Title IV-B Child Welfare Services.....	4,644,107
4899-0022	For the purposes of a federally funded grant entitled, Child Abuse and Neglect Prevention and Treatment — Basic Grant	385,321
4899-0024	For the purposes of a federally funded grant entitled, Child Abuse and Neglect Prevention and Treatment — Medical Grant	59,113

Department of Mental Health.

State Appropriations

5011-0100	For the administration of the department pursuant to the provisions of chapter 19 of the General Laws; provided, that the department shall not refer or discharge a child or adolescent to the custody or care of the department of social services until the department of mental health forwards its assessment and recommendation as to whether said child or adolescent is appropriate for foster care, or if due to severe emotional disturbance, is only appropriate for group care; provided further, that the department is hereby authorized and directed to continue to coordinate 24 hour per day emergency medical supports for all regions, as mandated in item 5011-0100 of section 2 of chapter 151 of the acts of 1996	19,703,812
5011-0611	The department of mental health is hereby authorized to expend an amount not to exceed \$100,000 in revenue collected from occupancy fees charged to the tenants of the Haskell building, so called, on the campus of the former Northampton state hospital, for repairs, improvements, maintenance and operation of said building	100,000

5011-7777	For costs associated with electricity, natural gas, and other fuel for buildings of the department of mental health; provided, that, notwithstanding the provisions of any general or special law to the contrary, prior to April 15, 1998, all funds appropriated herein shall be scheduled in the GG subsidiary, so-called; provided further, that after said date, the commissioner of the department of mental health, with the approval of the secretary of administration and finance, is hereby authorized to transfer from said GG subsidiary to the KK subsidiary, so-called, or the NN subsidiary, so-called, of this account, an amount not to exceed 15 per cent of the funds appropriated herein, if said secretary of administration and finance certifies in writing to the house and senate committees on ways and means that the following conditions have been met: (1) that the charges owed by said department of mental health for costs associated with electricity, natural gas, and other fuel for buildings of the department does not exceed the amount appropriated herein; (2) that the department does not require any supplemental appropriations in any of its other items of appropriation; (3) that the department is expected to meet the revenue targets established in sections 1A and 1B; and (4) that the department has not expended any funds for costs associated with electricity, natural gas, and other fuel for buildings in any of its other items of appropriation; provided further, that said secretary of administration and finance shall notify the house and senate committees on ways and means of all transfers of funds between subsidiaries as authorized herein; and provided further, that no funds shall be scheduled in a subsidiary which is not explicitly referenced herein	4,412,165
5042-5000	For child and adolescent services; provided, that of the sum appropriated herein, not less than \$69,408 shall be expended on the Franklin community action corporation in Greenfield for a youth and adolescent services program; provided further, that not less than \$25,000 be expended for the purposes of sending children to existing summer programs funded through the department of mental health's camperships, so-called; provided further, that not less than \$189,000 shall be expended for the purposes of providing educational services in institutional settings; and provided further, that no less than \$100,000 be expended for the Cape and Islands child advocacy center, so-called; provided further, that not less than \$100,000 shall be expended for a pilot program between the department of mental health-metropolitan Boston area and South Boston district court relative to the disposition of juvenile and adolescent offenders before the court on matters concerned with drug dependence and mental health; provided further, that not less than \$100,000 shall be expended for a mobile crisis intervention team within the metropolitan Boston area of the department of mental health; and provided further, that not less than \$50,000 shall be expended for child and adolescent psychiatric services in the South Boston section of the city of Boston	57,422,229

5046-0000	For adult mental health and support services; provided, that the department is hereby authorized to allocate funds in an amount not to exceed \$9,000,000 from item 5095-0000 of section 2, to this item, as necessary, pursuant to allocation plans submitted to the house and senate committees on ways and means 30 days prior to any such transfer, for residential and day services for clients formerly receiving care at department facilities; provided further, that \$60,000 shall be expended for comprehensive vocational rehabilitation services to be provided to mentally ill adults who are homeless or are at-risk of being homeless; provided further, that said services shall be provided at the multi-service center located in the city of Lynn by a vocational rehabilitation agency specializing in employment issues of mentally ill adults; provided further, that not less than \$163,000 shall be expended for western Massachusetts community enterprise programs; provided further, that not less than \$394,502 shall be expended for the lighthouse clubhouse program, so-called, in the city of Springfield; provided further, that not less than \$43,460 shall be expended for the provision of community based case management for participants in the tenant-based rental assistance program funded under HUD's shelter plus care program, administered by Quincy interfaith sheltering coalition in conjunction with the Quincy housing authority; provided further, that any allocations from this item for services provided in the metro-Boston area, so-called, shall not cause funding decreases in other areas; and provided further, that the Fairwinds clubhouse be allocated an additional one and one-half full time equivalent staff members, which shall also be reflected in their budget allocation	206,576,452
5046-1000	For rental subsidies to eligible clients; provided, that the department shall establish the amounts of said subsidies so that payment thereof and of any other commitments from this item shall not exceed the amount appropriated herein	2,607,550
5046-2000	For statewide homelessness services; provided, that not less than \$200,000 shall be expended for a program by project AIM, so-called, of community enterprises for residents of Berkshire county who have a dual diagnosis of major mental illness and substance abuse, and who have either been homeless or are in jeopardy of becoming homeless ...	9,036,450
5046-3000	For metro-Boston homelessness prevention services	6,109,574
5046-4000	The department of mental health is hereby authorized to expend revenues collected up to a maximum of \$125,000 from occupancy fees charged to the tenants in the creative housing option in community environments, the CHOICE program, so-called, authorized by chapter 167 of the acts of 1987; provided, that all such fees collected shall be expended for the routine maintenance and repair of facilities in the CHOICE program, so-called, including the costs of personnel	125,000

5046-9999

For the payment of charges assessed to the department of mental health for the payment of workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback, so-called; provided, that notwithstanding the provisions of any general or special law to the contrary, prior to April 15, 1998 all funds appropriated herein shall be scheduled in the DD subsidiary, so-called; provided further, that after said date, the commissioner of the department of mental health, with the approval of the secretary of administration and finance, is hereby authorized to transfer from said DD subsidiary to the KK subsidiary, so-called; or the NN subsidiary, so-called; of this account, an amount not to exceed 15 per cent of the funds appropriated herein, if the secretary of administration and finance certifies in writing to the house and senate committees on ways and means that the following conditions have been met: (1) that the charges owed by the department for workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback are less than the amount appropriated herein; (2) that the department does not require any supplemental appropriation in any of its other items of appropriation; (3) that the department is expected to meet the revenue targets established in sections 1A and 1B; and (4) that the department has not expended any funds for the payment of workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback, so-called, in any of its other items of appropriation; provided further, that the secretary of administration and finance shall notify the house and senate committees on ways and means of all transfers of funds between subsidiaries as authorized herein; and provided further, that, no funds shall be scheduled to any subsidiary in this account which is not explicitly referenced herein

7,854,776

5047-0001

For the designated emergency programs and acute mental health care replacement units; provided, that the department is authorized to enter into an interagency service agreement with the division of medical assistance for the purchase of said services and for such other services as said agreement may provide, including, but not limited to, acute inpatient care and diversionary services; provided further, that the department shall submit a report to the house and senate committees on ways and means no later than November 28, 1997 on the utilization of said emergency programs and acute mental health care beds by clients of the department during each month of fiscal year 1997; provided further, that said report shall detail the number of clients of the department determined to be eligible for the medicaid program during fiscal year 1997; and provided further, that said report shall detail expenditures made by the division of medical assistance on behalf of clients of the department during fiscal year 1997 for said acute mental health care services

32,478,030

5047-0002	Notwithstanding any general or special law to the contrary, the department of mental health may expend revenues for continuing care services in the community in an amount not to exceed \$6,000,000 from increased revenues from federal reimbursement collected for designated emergency programs and acute inpatient and diversionary services; provided, that no funds shall be expended from this item until the secretary of administration and finance shall certify in writing to the house and senate committees on ways and means that not less than \$1,000,000 from said initiative has been deposited in the general fund; provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payments amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that the department shall submit a report to the house and senate committees on ways and means no later than February 3, 1998 detailing the use of any funds encumbered or expended from this item, including, but not limited to, the number of clients served, the types of services purchased by region, and the annualized impact of said expenditures in the subsequent fiscal year	6,000,000
5051-0100	For community mental health centers	75,628,097
5055-0000	For forensic services; provided, that not less than \$282,000 shall be expended for mental health services at the Barnstable and Middlesex county houses of correction	7,347,324
5095-0000	For adult inpatient and facilities' services, including the maintenance and operation of the secure unit at Medfield state hospital; provided, that the department is hereby authorized to allocate funds in an amount not to exceed \$9,000,000 from this item to item 5046-0000, as necessary, pursuant to allocation plans submitted to the house and senate committees on ways and means 30 days prior to any such transfer, for residential and day services for clients formerly receiving care at department facilities; provided further, that the department shall comply with the provisions of section 308	99,580,447
Federal Appropriations		
5012-9106	For the purposes of a federally funded grant entitled, Information Warehouse	125,000
5012-9121	For the purposes of a federally funded grant entitled, Project for Assistance in Transition from Homelessness	332,000
5021-9106	For the purposes of a federally funded grant entitled, Mental Health Systems Improvement Demonstration Grant	225,000
5046-9102	For the purposes of a federally funded grant entitled, Shelter Plus Care	144,240

Department of Mental Retardation.

State Appropriations

5911-1000	For administration of the department pursuant to the provisions of chapter 19B of the General Laws; provided, that the department of mental retardation is hereby authorized and directed to conduct an investigation as to the distribution of funds among regions and report such findings to the house and senate committees on ways and means no later than December 15, 1997; provided further, that such findings shall include, but not be limited to, any formulas needed for distribution of funds and any other factors which indicate fund distribution to the various regions of the department and recommendations for providing more equitable regional funding; and provided further, that not less than \$25,000 be expended for the design and construction of a new entrance, gate, and sign for the Pine Grove Cemetery so-called in the town of Belchertown, and provided further, that the name of said cemetery be changed to the Warner-Pine Grove Memorial Cemetery	5,520,584
5911-2000	For transportation costs associated with the adult services program; provided, that the department shall provide transportation on the basis of priority of need as determined by the department; provided further, that \$86,720 shall be expended from this item for the life focus center in Charlestown; provided further, that in the event expenditures and encumbrances for the purposes of this item exceed the amount appropriated herein, the comptroller is hereby authorized and directed to transfer the amount of any such deficiency from item 5911-1000 to this item to ensure that transportation services are maintained throughout fiscal year 1998; and provided further, that notwithstanding the provisions of any general or special law to the contrary, no such transfer shall occur until the commissioner of the department of mental retardation notifies the house and senate committees on ways and means	24,939,160
5911-7777	For costs associated with electricity, natural gas, and other fuel for buildings of the department of mental retardation; provided, that, notwithstanding the provisions of any general or special law to the contrary, prior to April 15, 1998, all funds appropriated herein shall be scheduled in the GG subsidiary, so-called; provided further, that after said date, the commissioner of the department of mental retardation, with the approval of the secretary of administration and finance, is hereby authorized to transfer from said GG subsidiary to the KK subsidiary, so-called, or the NN subsidiary, so-called, of this account, an amount not to exceed 15 per cent of the funds appropriated herein, if said secretary of administration and finance certifies in writing to the house and senate committees on ways and means that the following conditions have been met: (1) that the charges owed by said department of mental retardation for costs associated with electricity, natural gas, and other fuel for buildings of the department does not exceed the amount appropriated herein; (2) that the	

department does not require any supplemental appropriations in any of its other items of appropriation; (3) that the department is expected to meet the revenue targets established in sections 1A and 1B; and (4) that the department has not expended any funds for costs associated with electricity, natural gas, and other fuel for buildings in any of its other items of appropriation; provided further, that said secretary of administration and finance shall notify the house and senate committees on ways and means of all transfers of funds between subsidiaries as authorized herein; and provided further, that no funds shall be scheduled in a subsidiary which is not explicitly referenced herein

7,115,553

5911-9999

For the payment of charges assessed to the department of mental retardation for the payment of workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback, so-called; provided, that notwithstanding the provisions of any general or special law to the contrary, prior to April 15, 1998 all funds appropriated herein shall be scheduled in the DD subsidiary, so-called; provided further, that after said date, the commissioner of the department of mental retardation, with the approval of the secretary of administration and finance, is hereby authorized to transfer from said DD subsidiary to the KK subsidiary, so-called; or the NN subsidiary, so-called; of this account, an amount not to exceed 15 per cent of the funds appropriated herein, if the secretary of administration and finance certifies in writing to the house and senate committees on ways and means that the following conditions have been met: (1) that the charges owed by the department for workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback are less than the amount appropriated herein; (2) that the department does not require any supplemental appropriation in any of its other items of appropriation; (3) that the department is expected to meet the revenue targets established in sections 1A and 1B; and (4) that the department has not expended any funds for the payment of workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback, so-called, in any of its other items of appropriation; provided further, that the secretary of administration and finance shall notify the house and senate committees on ways and means of all transfers of funds between subsidiaries as authorized herein; provided further, that no funds shall be scheduled to any subsidiary in this account which is not explicitly referenced herein; provided further, that in the event expenditures and encumbrances for the purposes of this item exceed the amount appropriated herein, the comptroller is hereby authorized and directed to transfer the amount of any such deficiency from item 5911-1000 to this item to ensure that services are maintained throughout fiscal year 1998; and provided

	further, that notwithstanding the provisions of any general or special law to the contrary, no such transfer shall occur until the commissioner of the department of mental retardation notifies the house and senate committees on ways and means	11,860,475
5920-1000	For the operation of the adult services program; provided, that in the event expenditures and encumbrances for the purposes of this item exceed the amount appropriated herein, the comptroller is hereby authorized and directed to transfer the amount of any such deficiency from item 5911-1000 to this item to ensure that services are maintained throughout fiscal year 1998; provided further, that notwithstanding the provisions of any general or special law to the contrary, no such transfer shall occur until the commissioner of the department of mental retardation notifies the house and senate committees on ways and means	38,151,162
5920-2000	For vendor-operated community-based residential adult services and \$5,950,000 in annualized funding for priority one turning 22 clients who began receiving services for fiscal year 1997 pursuant to item 5920-5000 of section 2 of chapter 151 of the acts of 1996; provided, that in the event expenditures and encumbrances for the purposes of this item exceed the amount appropriated herein, the comptroller is hereby authorized and directed to transfer the amount of any such deficiency from item 5911-1000 to this item to ensure that services are maintained throughout fiscal year 1998; provided further, that notwithstanding the provisions of any general or special law to the contrary, no such transfer shall occur until the commissioner of the department notifies the house and senate committees on ways and means; provided further, that not more than \$350,000 shall be expended for the care of individuals transferred to the care of the department from the department of public health; provided further, that not less than \$100,000 shall be expended for the Massachusetts special olympics, so-called; and provided further that, not less than \$100,000 shall be expended for increased mentor programs statewide.....	292,093,876
5920-2010	For state-operated community-based residential services for adults; provided, that in the event expenditures and encumbrances for the purposes of this item exceed the amount appropriated herein, the comptroller is hereby authorized and directed to transfer the amount of any such deficiency from item 5911-1000 to this item to ensure that services are maintained throughout fiscal year 1998; provided further, that notwithstanding the provisions of any general or special law to the contrary, no such transfer shall occur until the commissioner of the department notifies the house and senate committees on ways and means	66,217,100
5920-2025	For community-based day and work programs for adults and for \$1,700,000 in annualized funding for priority one turning 22 clients who began receiving services for fiscal	

	year 1997 pursuant to item 5920-5000 of section 2 of chapter 151 of the acts of 1996; provided, that not less than \$327,611 shall be expended for the life focus center in Charlestown, including an alternative work program and an additional \$25,008 for transportation; provided further, that in the event expenditures and encumbrances for the purposes of this item exceed the amount appropriated herein, the comptroller is hereby authorized and directed to transfer the amount of any such deficiency from item 5911-1000 to this item to ensure that services are maintained throughout fiscal year 1998; and provided further, that notwithstanding the provisions of any general or special law to the contrary, no such transfer shall occur until the commissioner of the department of mental retardation notifies the house and senate committees on ways and means	72,329,032
5920-2040	For community-based health services for adults; provided, that in the event expenditures and encumbrances for the purposes of this item exceed the amount appropriated herein, the comptroller is hereby authorized and directed to transfer the amount of any such deficiency from item 5911-1000 to this item to ensure that services are maintained throughout fiscal year 1998; and provided further, that notwithstanding the provisions of any general or special law to the contrary, no such transfer shall occur until the commissioner of the department of mental retardation notifies the house and senate committees on ways and means	10,780,955
5920-3000	For respite services and for \$850,000 in annualized funding for priority one turning twenty-two clients who began receiving services for fiscal year 1997 pursuant to item 5920-5000 of section 2 of chapter 151 of the acts of 1996; provided, that the department shall pursue the highest rates of federal reimbursement possible for such services; provided further, that in the event expenditures and encumbrances for the purposes of this item exceed the amount appropriated herein, the comptroller is hereby authorized and directed to transfer the amount of any such deficiency from item 5911-1000 to this item to ensure that services are maintained throughout fiscal year 1998; and provided further, that notwithstanding the provisions of any general or special law to the contrary, no such transfer shall occur until the commissioner of the department of mental retardation notifies the house and senate committees on ways and means.....	40,365,329
5920-5000	For services for clients of the department who turn 22 years of age during state fiscal year 1998; provided, that the amount appropriated herein shall not annualize to more than \$8,500,000 in fiscal year 1999; provided further, that nothing herein shall give rise to enforceable legal rights in any party or an enforceable entitlement to the services funded herein; provided further, that nothing stated herein shall be construed as giving rise to such enforceable legal rights or such enforceable entitlement; provided further,	

that in the event expenditures and encumbrances for the purposes of this item exceed the amount appropriated herein, the comptroller is hereby authorized and directed to transfer the amount of any such deficiency from item 5911-1000 to this item to ensure that services are maintained throughout fiscal year 1998; and provided further, that notwithstanding the provisions of any general or special law to the contrary, no such transfer shall occur until the commissioner of the department of mental retardation notifies the house and senate committees on ways and means

4,400,000

5920-6000 For services to the older unserved; provided, that not less than \$3,500,000 shall be expended for the purpose of providing services to clients who remain at home; provided further, that nothing herein shall give rise to enforceable legal rights in any party or an enforceable entitlement to the services funded herein; provided further, that nothing stated herein shall be construed as giving rise to such enforceable legal rights or such enforceable entitlement; provided further, that in the event expenditures and encumbrances for the purposes of this item exceed the amount appropriated herein, the comptroller is hereby authorized and directed to transfer the amount of any such deficiency from item 5911-1000 to this item to ensure that services are maintained throughout fiscal year 1998; and provided further, that notwithstanding the provisions of any general or special law to the contrary, no such transfer shall occur until the commissioner of the department of mental retardation notifies the house and senate committees on ways and means.....

8,750,000

5920-8000 For the child and adolescent services program; provided, that the commissioner of the department of mental retardation is hereby authorized to transfer funds from this item to item 5920-8010 of section 2, pursuant to an allocation plan, which shall detail by subsidiary and contract the distribution of said funds to be transferred and which said commissioner shall file with the house and senate committees on ways and means 15 days prior to any such transfer; provided further, that not less than \$437,000 shall be expended for support services for families of children with autism; provided further, that in the event expenditures and encumbrances for the purposes of this item exceed the amount appropriated herein, the comptroller is hereby authorized and directed to transfer the amount of any such deficiency from item 5911-1000 to this item to ensure that services are maintained throughout fiscal year 1998; and provided further, that notwithstanding the provisions of any general or special law to the contrary, no such transfer shall occur until the commissioner of the department of mental retardation notifies the house and senate committees on ways and means

4,992,002

5920-8010 For the residential expenses associated with school placements of children and adolescents between the ages of 4 and 21, inclusive; provided, that the commissioner of the department of mental retardation is hereby authorized to

transfer funds from this item to item 5920-8000 of section 2, pursuant to an allocation plan, which shall detail by subsidiary and contract the distribution of said funds to be transferred and which said commissioner shall file with the house and senate committees on ways and means 15 days prior to any such transfer; provided further, that in the event expenditures and encumbrances for the purposes of this item exceed the amount appropriated herein, the comptroller is hereby authorized and directed to transfer the amount of any such deficiency from item 5911-1000 to this item to ensure that services are maintained throughout fiscal year 1998; and provided further, that notwithstanding the provisions of any general or special law to the contrary, no such transfer shall occur until the commissioner of the department of mental retardation notifies the house and senate committees on ways and means 500,000

5930-1000 For the operation of facilities for the mentally retarded, including the maintenance and operation of the Glavin regional center; provided, that the commissioner of the department of mental retardation is hereby authorized to transfer funds from this item to items 5920-2000, 5920-2010 and 5920-2025 of section 2, pursuant to an allocation plan, which shall detail by subsidiary and contract the distribution of said funds to be transferred and which said commissioner shall file with the house and senate committees on ways and means 15 days prior to any such transfer; provided further, that not more than \$3,000,000 shall be transferred from this item in fiscal year 1998; and provided further, that the department shall comply with the provisions of section 308..... 178,561,240

Federal Appropriation

5947-0004 For the purposes of a federally funded grant entitled, Project Engage Temporary Child Care for Children with Disabilities 139,490

EXECUTIVE OFFICE OF
TRANSPORTATION AND CONSTRUCTION.
Office of the Secretary.

State Appropriations

6000-0100 For the office of the secretary of transportation and construction; provided, that said office shall submit to the house and senate committees on ways and means quarterly reports detailing all personnel-related expenditures made from capital funds; provided further, that said reports shall delineate for the executive office and for each agency, board, authority or commission under its control, the amounts paid in the prior quarter as compensation for each type of position assigned to capital projects that were charged to each such funding source; provided further, that said report shall also delineate by funding source any other amounts paid for personnel-related costs that were charged to said funds, including payroll allocations for

	budgetary employees, fringe recovery and other charge-backs; provided further, that said report shall identify the number of full time equivalent personnel classified in each position type; and provided further, that said report shall delineate said information for full time employees, part-time employees and contracted personnel	232,564
	Highway Fund 100.0%	
6000-0110	The executive office of transportation and construction may expend, for the purpose of property management and maintenance of railroad properties owned by said executive office on behalf of the commonwealth, including the cost of personnel, an amount not to exceed \$27,345 from the rents and fees received pursuant to section 4 of chapter 161C of the General Laws	27,345
6005-0011	For additional assistance to the Massachusetts Bay Transportation Authority in accordance with the provisions of sections 6 and 9 of chapter 825 of the acts of 1974, as amended by section 4 of chapter 291 of the acts of 1975; provided, that the authority shall furnish to the executive office of transportation and construction and the house and senate committees on ways and means all information necessary to compile quarterly capital funded personnel expenditure reports; provided further, that operating expenditures of the said authority for calendar year 1998 shall not exceed 103 per cent of its operating expenditures for calendar year 1997	219,083,252
	Local Aid Fund.....40.0%	
	General Fund.....40.0%	
	Highway Fund20.0%	
6005-0012	For certain debt service contract assistance to the Massachusetts Bay Transportation Authority in accordance with the provisions of section 28 of chapter 161A of the General Laws	266,336,342
	Local Aid Fund.....40.0%	
	General Fund.....40.0%	
	Highway Fund20.0%	
6005-0015	For certain assistance to the regional transit authorities, including operating grants and reimbursements to increase the accessibility of transit provided to the elderly and disabled under the mobility assistance program, the regional transit authority program, and the intercity bus capital assistance program; provided, that the commonwealth, acting by and through the executive office for administration and finance, for the period beginning July 1, 1997 and ending June 30, 1998, may enter into contracts with the authorities; provided further, that notwithstanding the provisions of section 152A of chapter 161, and of section 23 of chapter 161B of the General Laws, at least 50 per cent and up to 75 per cent of the net cost of service of each authority incurred in fiscal year 1997 shall be paid by the commonwealth, and shall not be assessed upon the cities and towns constituting the authorities; provided further, that operating expenditures of each of the regional transit authorities for calendar year 1998 shall not exceed 103 per cent of its operating expenditures for calendar	

	year 1997; provided further, that operating expenditures shall not include federal, private or additional municipal nonstate revenue sources or any expenses arising from the provision of services required by the Americans with Disabilities Act; and provided further, that the pioneer valley regional transit authority shall maintain an express bus route from the city of Springfield to the Hampden county house of correction	38,904,871
	Local Aid Fund.....40.0%	
	General Fund40.0%	
	Highway Fund20.0%	
6005-0017	For certain payments to cities and towns as authorized by clause (c) of section 13 of chapter 64A, clause (b) of section 13 of chapter 64E and clause (b) of section 14 of chapter 64F of the General Laws; provided, that the amounts appropriated herein are in full satisfaction of the amounts payable pursuant to said clauses for fiscal year 1998; and provided further, that funds herein may be used for the lease, purchase and maintenance of vehicles for use in road maintenance, and for costs incurred for the removal of snow and ice.....	43,472,110
	Highway Fund100.0%	
6005-0018	For additional contract assistance to be allocated by the Massachusetts Bay Transportation Authority for the net additional expense of commuter rail service provided to and on behalf of the regional transit authorities and cities and towns outside the Massachusetts Bay Transportation Authority district for fiscal year 1997, including funds for the net additional expense of bus service provided to and on behalf of the regional transit authorities and cities and towns outside the Massachusetts Bay Transportation Authority district for fiscal year 1998, in the amounts determined to be appropriate by the executive office for administration and finance, acting on behalf of the commonwealth, on the recommendation of the secretary of the executive office of transportation and construction; provided, that said additional expense of bus service shall not exceed \$2,250,000, in accordance with the provisions of section 28A of chapter 161A of the General Laws and section 45 of chapter 811 of the acts of 1985; and provided further, that no less than \$17,500 be made available for a commuter boat service between Hull and Boston.....	15,978,283
	Local Aid Fund.....40.0%	
	General Fund40.0%	
	Highway Fund20.0%	
Federal Appropriations		
6000-0018	For the purposes of a federally funded grant entitled, Section 18 Rural Public Transportation Assistance	2,297,500
6000-0023	For the purposes of a federally funded grant entitled, Section 8 Planning Grant/Rural Public Transportation	1,804,909
6000-0024	For the purposes of a federally funded grant entitled, Disadvantaged Business Enterprise Disparity Study	248,438
6000-0049	For the purposes of a federally funded grant entitled, Elderly and Handicapped Transportation	1,388,152

6000-0054	For the purposes of a federally funded grant entitled, Rail Planning Assistance/FRA Section 5 which shall include a feasibility study of the reopening of the Central Mass Railroad between the city of Boston and interstate highway route 495.....	250,000
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Massachusetts Aeronautics Commission.

State Appropriation

6006-0003	For the administration of the commission, including the expenses of the commissioners.....	581,733
	Local Aid Fund.....	100.0%

Federal Appropriation

6006-0042	For the purposes of a federally funded grant entitled, Airport System Planning.....	350,000
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Department of Highways.

6010-0001	For personnel services of the department, for certain administrative and engineering expenses and equipment of the highways commission, the office of the highways commissioner, the division of administrative services, highway engineering, highway maintenance, highway construction, district and other highway activity offices, materials, supplies, fleet maintenance and equipment, general maintenance and equipment, for maintenance and operation of state highways and bridges and for workers' compensation related expenditures, as defined by the (D15) object code of the DD subsidiary, so-called, on the Massachusetts management accounting and reporting system, for employees of the department; provided, that funds appropriated herein shall be the only source of funding for all overtime expenses associated with the department's snow and ice control efforts; provided further, that the department shall furnish to the executive office of transportation and construction and the house and senate committees on ways and means all information necessary to compile quarterly capital-funded personnel expenditure reports; provided further, that notwithstanding the provisions of any administrative bulletin, general or special law to the contrary, the department shall not pay any fees charged for leasing or maintenance of vehicles to the division of operational services; provided further, that the department shall not be subject to the provisions of section 36A of chapter 30 of the General Laws and section 22 of chapter 7 of the General Laws, but shall submit to the secretary of transportation and construction for approval requests to repair vehicles costing in excess of the limit set forth in said section 22 of said chapter 7; provided further, that the department shall provide the house and senate committees on ways and means a quarterly report of repairs requiring said secretary's approval; provided further, that not less than \$25,000 shall be made available to the Cape Cod chamber of commerce to fund costs related to the Bourne rest area on state highway 25; provided further, that not less than \$34,500 be expended	
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for the state's share of a bike path project in the town of Wareham; and provided further, that not less than \$7,000 shall be made available to the Yarmouth chamber of commerce to be expended for the maintenance of sanitary facilities at the rest area on state route 6 in Yarmouth 47,233,561
Highway Fund100.0%

6010-1000 For the costs of routine highway maintenance provided by private and union workers in contract areas, 1A, 1B, 2A, 2B, 3A, 3B, 3C, 4A, 4B, 4C, 4D, 5A, 5B, and 5C, so-called, and for the costs associated with police services and overtime within said areas; provided, that \$143,750 shall be made available for all contractual contingency costs associated with highway maintenance in said areas; provided further, that no additional funds made available to the department, either directly or indirectly, including capital, trust, or other funds, shall be used to supplement or supplant the funds for said contract areas appropriated herein; and provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means detailing for each contract area expenditures for the costs of contractual contingency fees, personnel, police services, overtime, materials, and vehicle repair..... 25,120,947
Highway Fund100.0%

6020-2505 For the outdoor advertising board 43,168
Highway Fund100.0%

6030-7201 For the cost of hired and leased equipment, so-called, used for snow and ice control; provided, that no funds appropriated herein shall be used for materials, overtime costs or vehicle repair related to snow and ice control 6,727,688
Highway Fund100.0%

6030-7211 For vehicle repair directly associated with department snow and ice control equipment; provided, that no funds appropriated herein shall be used for materials, overtime costs or hired or leased equipment related to snow and ice control..... 200,000
Highway Fund100.0%

6030-7221 For the cost of sand, salt, and other control chemicals used for the purpose of snow and ice control; provided, that no funds appropriated herein shall be used for hired or leased equipment, overtime costs or vehicle repair related to snow and ice control..... 4,984,741
Highway Fund100.0%

BOARD OF LIBRARY COMMISSIONERS.

State Appropriations

7000-9101 For the operation of the board of library commissioners; provided, that the appropriation herein shall fund 4 positions for the purposes of continued implementation of the strategic plan for the future of library services in Massachusetts, so-called; provided further, that said appropriation shall fund a position which will aid small

	communities as a library project consultant; provided further, that said board shall conduct a study to be completed and reported to the senate and house committees on ways and means by April 1, 1998, that shall review the amount that the commonwealth spends on library services for the blind, including information on the per capita amount spent on libraries statewide in relation to the amount spent on the Perkins and Worcester talking book libraries, including information on the amount that is spent in other states on library services for the blind; and provided further, that the board shall make recommendations regarding a review of the existing formula of library local aid funding, regarding increases for the libraries that specifically serve the blind population, in relation to increases in population and appropriation levels	1,066,592
	Local Aid Fund.....100.0%	
7000-9401	For state aid to regional public libraries; provided, that the board of library commissioners may provide quarterly advances of funds for purposes authorized by section 19C (1) and (2) of chapter 78 of the General Laws, as it deems proper, to the regional public library systems throughout each fiscal year, in compliance with the office of the comptroller's regulations on state grants, 815 CMR 2.00; provided further, that notwithstanding the provisions of section 19C of chapter 78 of the General Laws or any other general or special law to the contrary, the Boston public library shall, as the library of last recourse for reference and research services for the commonwealth, be paid from this item an amount equal to 96.35 cents per resident in the commonwealth; provided further, that notwithstanding the provision of any general or special law to the contrary, no regional public library shall receive any money under this item in any year when the appropriation of the city or town where such regional public library is located is below an amount equal to 102½ per cent of the average of the appropriations for free public library service for the 3 years immediately preceding; provided further, that notwithstanding the provisions of this item, the board of library commissioners may grant waivers, in a number not to exceed one-tenth the number permitted pursuant to the sixth paragraph of section 19A of chapter 78 of the General Laws, to any library not receiving funds as a library of last recourse for a period of not more than one year; and provided further, that \$2,500,000 shall be expended for continued implementation of the strategic plan, so-called	16,005,931
	Local Aid Fund.....100.0%	
7000-9402	For the purposes of a talking book library at Worcester.....	194,478
	Local Aid Fund.....100.0%	
7000-9406	For the administration of a talking book program, including the operation of the machine lending agency.....	1,202,919
	Local Aid Fund.....100.0%	

7000-9501	For state aid to public libraries; provided, that notwithstanding the provision of any general or special law to the contrary, no city or town shall receive any money under this item in any year when the appropriation of said city or town for free public library services is below an amount equal to 102½ per cent of the average of the appropriations for free public library service for the 3 years immediately preceding; provided further, that notwithstanding the provisions of this section, the board of library commissioners may grant waivers permitted pursuant to the 6th paragraph of section 19A of chapter 78 of the General Laws, as appearing in the 1994 edition, to any library not receiving funds as a library of last recourse for a period of no more than 1 year; and provided further, that any payment made under this appropriation shall be deposited with the treasurer of such city or town and held as a separate account and shall be expended by the public library of such city or town without appropriation, notwithstanding the provisions of any general or special law to the contrary.....	6,899,804
	Local Aid Fund.....	100.0%

7000-9506	For the telecommunications expenses of automated resource sharing networks and their member libraries; provided, that \$3,338,000 shall be expended from this item solely for the purpose of continued implementation of the strategic plan, so-called.....	3,815,235
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Federal Appropriations

7000-9705	For the purposes of a federally funded grant entitled, LSCA Program-Title I.....	2,033,689
7000-9707	For the purposes of a federally funded grant entitled, Emergency Federal Jobs Bill-LSCA Title II.....	379,000

EXECUTIVE OFFICE OF LABOR, EDUCATION
AND WORKFORCE DEVELOPMENT.

Department of Labor and Workforce Development.

7002-0100	For the administration of the department of labor including the divisions under the control of the department.....	382,817
7002-0101	For the operation and administration of the apprentice training program; provided, that no position in the apprentice training division shall be subject to chapter 31 of the General Laws	275,231

Division of Occupational Safety.

State Appropriations

7002-0200	For the operation and administration of the industrial safety program.....	1,227,245
7002-0400	For the operation and administration of the occupational hygiene program; provided, that the division may employ staff which shall not be subject to chapter 31 of the General Laws for a program to evaluate the asbestos level in public schools and other public buildings	1,022,638

Federal Appropriations

7002-1622	For the purposes of a federally funded grant entitled, Lead Enforcement	75,900
7002-4203	For the purposes of a federally funded grant entitled, Occupational Safety and Health Administration Statistics Program.....	100,054
7002-4212	For the purposes of a federally funded grant entitled, Asbestos Licensing and Monitoring Toxic Substance Control Act	133,505
7002-4213	For the purposes of a federally funded grant entitled, Lead Licensing and Monitoring Toxic Substance Control Act....	296,657
7002-4215	For the purposes of a federally funded grant entitled, Occupational Safety and Health Administration Data Collection Survey.....	88,474
7002-6627	For the purposes of a federally funded grant entitled, Occupational Safety and Health Administration Onsite Consultation Program.....	907,224

*Division of Labor Market Information.***Federal Appropriation**

7002-9701	For the purposes of a federally funded grant entitled, Bureau of Labor Statistics Administration.....	1,816,781
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Division of Industrial Accidents.

7002-0500	For the operation and administrative expenses of the division of industrial accidents; provided, that \$800,000 shall be expended for occupational safety training grants; provided further, that the General Fund shall be reimbursed the amount appropriated herein and for associated indirect and direct fringe benefit costs from assessments levied pursuant to section 65 of chapter 152 of the General Laws....	15,137,144
7002-0501	For the AA subsidiary payroll expenses of the office of the commissioner; provided, that any other expenses associated with the employees of said office shall be expended from item 7002-0500; provided further, that the General Fund shall be reimbursed the amount appropriated herein and for associated indirect and direct fringe benefit costs from assessments levied pursuant to section 65 of chapter 152 of the General Laws	292,120
7002-0502	For the AA subsidiary payroll expenses of the division's justices; provided, that any other expenses associated with said division's justices shall be expended from item 7002-0500; provided further, that the division shall assign a judge to hear cases in the county of Berkshire not less than once a month; and provided further, that the General Fund shall be reimbursed the amount appropriated herein and for associated indirect and direct fringe benefit costs from assessments levied pursuant to section 65 of chapter 152 of the General Laws	3,012,401

Labor Relations Commission.

7002-0600	For the operation of the labor relations commission; provided, that \$20,000 shall be expended for the purpose of maintaining a satellite office in the Springfield state office building.....	1,021,690
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Joint Labor Management Committee.

7002-0700	For the operation of the joint labor management committee	439,879
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Board of Conciliation and Arbitration.

7002-0800	For the operation of the board of conciliation and arbitration ..	780,001
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Division of Employment and Training.

Federal Appropriations

7002-6624	For the purposes of a federally funded grant entitled, Unemployment Insurance Programs Administration	64,029,514
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7002-6626	For the purposes of a federally funded grant entitled, Employment Service Programs Administration.....	19,957,364
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Office of the Deputy Director of Workforce Development.

7003-0100	For the administration of the office of the deputy director of workforce development; provided, that on October 1, 1997 and April 1, 1998, the deputy director shall submit to the house and senate committees on ways and means a comprehensive report describing in detail the job training services, including labor exchange, skills training and remedial education services related thereto which have been provided during the course of the fiscal year in the commonwealth, describing the systems for delivery of such services, describing the costs of such services and the sources of revenue for such services, and making recommendations for improvements in the delivery of such services; provided further, that on or before December 1, 1997, the deputy director shall submit the report and five-year plan required by section 274; provided further, that not more than \$50,000 from this item may be expended to retain independent, professional assistance in the preparation of the reports required by sections 274 and 275; and provided further, that to the extent permissible, up to 50 per cent of the expenses associated with the salary of the deputy director of workforce development may be assessed against item 7003-1621	100,000
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7003-0300	For the purpose of establishing a revolving loan fund within the industrial services program to provide working capital and related assistance to defense-dependent firms and leverage federal matching funds for financial assistance for such purposes under the Economic Adjustment Program Revolving Loan Fund authorized pursuant to Title IX of the Public Works and Economic Development Act of 1965, as amended	450,000
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7003-0400	For a program to provide comprehensive re-employment assistance to employees impacted by economic structural dislocation, in particular those laid off from defense-dependent companies, the computer industry and the	
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	fishing industry; provided, that said assistance shall be provided in conjunction with any applicable federal funds granted to the state for related assistance	377,000
7003-0500	For the economic stabilization trust component of the industrial services program, as provided by chapter 23D of the General Laws, and for a re-employment assistance program as specified in section 71D of chapter 151A of the General Laws; provided, that a report of all revenues, expenditures, assets and liabilities of the program and of the economic stabilization trust be filed quarterly with the secretary of administration and finance and the house and senate committees on ways and means	155,400
7003-0601	For the summer jobs youth-at-risk program, including the costs of administration; provided, that service levels shall be developed so as not to exceed the appropriation made available herein; provided further, that the same number of youths shall be served in fiscal year 1998 that were served in fiscal year 1997	3,049,841
7003-0602	For the "Summer Nights" program in the city of Haverill.....	25,000
7003-0603	For the state matching requirement for the school-to-work connecting activities program established in section 587 of chapter 151 of the acts of 1996	500,000
7003-0700	For the expenses of the corporation for workforce training and development and the industry-responsive training program to secure employment, training and counseling for displaced workers; provided, for the employee involvement and ownership in the workplace component of the industrial services program; provided further, that \$1,000,000 shall be expended for employed worker training technical assistance and matching grants; provided further, that not more than \$175,000 shall be expended to administer said technical assistance program; provided further, that a report of all revenues, expenditures, assets and liabilities of said corporation shall be filed quarterly with the secretary of administration and finance and the house and senate committees on ways and means; and provided further, that said corporation shall remain a quasi-public corporation	1,900,000
	General Fund	93.14%
	Economic Development Fund.....	6.86%
7003-0800	For pre-employment and re-employment services provided by the division.....	2,577,102
	General Fund	93.14%
	Economic Development Fund.....	6.86%
7003-0802	For a reserve to improve the workforce development system in the commonwealth, which may include but shall not necessarily be limited to improvements to the provision of labor exchange services through additional one-stop career centers, using either the competitive, collaborative or co-located models as determined by the relevant regional employment boards, or otherwise, improvements in the provision of job training services to recipients of	

transitional aid to families with dependent children, and additional allocations in the second half of fiscal year 1998 of up to \$12,500 to each regional employment board; and provided further, that no funds shall be expended from this item until after receipt of the reports required by sections 274 and 275 and until such additional funds are appropriated by the general court..... 3,000,000

7003-0900 For the Tactical Training Initiative, so-called 498,842
General Fund93.14%
Economic Development Fund.....6.86%

7003-0901 For a summer jobs youth-at-risk program; provided, that no funds appropriated herein shall be allotted or disbursed prior to the receipt of equal matching funds from private sources to any entity or municipality eligible for or requesting funds from this item..... 1,100,000

7003-0904 For the creation and support of manufacturing networks 1,100,000
General Fund93.14%
Economic Development Fund.....6.86%

7003-1000 For the workforce development initiative; provided, that the strategic planning committee of the MassJobs council shall make recommendations relative to the use of said funds subject to approval by the full MassJobs council; provided further, that the executive committee of the MassJobs council shall approve the use of said funds should the full council be unable to approve the use of said funds in a timely manner; provided, further, that each regional employment board shall receive not less than \$75,000 in fiscal year 1998; provided further, that before release of more than \$25,000 to any regional employment board, said board shall have provided training to each of its board members concerning the requirements of federal and state law with respect to conditions on the use of job training funds and the board’s role in ensuring compliance with such requirements, and shall have produced a written assessment of the performance of and planned improvements to job training delivery systems, including any existing one-stop career centers, in its region and shall have filed a copy of said assessment with the MassJobs council, the joint committee on commerce and labor and the house and senate committees on ways and means; provided further, that no grant made available to a regional employment board shall be used to encourage, induce, require or mandate the establishment of said regional employment board’s administrative staff as an entity independent of the administrative entity agreed to under the provisions of the Federal Job Training Partnership Act by the regional employment board and the lead elected official; provided further, that expenditures for programs specified herein shall be subject to the approval of the local regional employment boards; provided further, that no specific program allocations directed herein shall preclude a regional employment board from receiving its equal share of funds to be distributed to regional employment boards by the MassJobs council; provided further,

that funds provided to the regional employment boards shall not be subject to any limitations imposed by the MassJobs council; provided further, that the MassJobs council is hereby authorized and directed to expend not less than \$150,000 for the consumer provider program operated by CASCAP, inc. in collaboration with Bunker Hill community college for the training of men and women with psychiatric disabilities to become part-time employees at health and human services agencies within the commonwealth; provided further, that of the amount appropriated herein, not less than \$150,000 shall be expended for the western Massachusetts enterprise fund and JVS microenterprise program as the supplemental match to conduct an entrepreneurial training program for income eligible residents; provided further, that not less than \$100,000 shall be provided to the Massachusetts maritime academy for a training and work program for youth in maritime trades, including but not limited to sailing, seamanship and nautical training; provided further, that the Cape Cod, Martha's Vineyard and Nantucket regional employment board shall oversee and make recommendations regarding said program; provided, further, that not more than \$2,750,000 shall be allocated to the seven one-stop career centers in existence on May 1, 1997 which are located in Boston, Hampden county and the Metro North service delivery area, so-called, and any satellite offices thereof which are currently scheduled to open on or before December 1, 1997, and no other career centers; provided further, that said allocation to these centers shall be conditioned upon the department's development of, on or before September 1, 1997, and said centers' agreement to, effective on or before October 1, 1997, a comprehensive and uniform set of policies and procedures for measuring the goals and performance of said centers in terms of services rendered and job placements achieved for all individuals served by said centers and for special populations served by said centers, including persons receiving public assistance, persons with disabilities, persons who are collecting unemployment insurance, and other target groups for whom state and federal funding is appropriated; provided further, that said comprehensive and uniform set of policies and procedures, and documentation showing said centers' agreement to such policies and procedures, shall be submitted to the joint committee on commerce and labor and the house and senate committees on ways and means on or before October 1, 1997; provided further, that allocation of such funds to said career centers shall be conditioned upon no services or functions being performed by employees of the division of employment and training offices as of May 1, 1997 being terminated or curtailed, or transferred to any persons who are not employees of said department, as a result of the actual or anticipated existence of any such career center and upon no agreements for additional career centers being executed prior to February 1, 1998; and provided further, that not less than \$150,000 shall be expended to fund a program at the Massachusetts AFL-CIO to support

and coordinate labor representation on the regional employment boards, and provided further, that not less than \$75,000 shall be expended for the career beginning program, so called, at Worcester state college in the city of Worcester..... 4,675,000

General Fund93.14%

Economic Development Fund.....6.86%

7003-2055 For the youth, senior service, and conservation group corps program, including the costs of administration; provided, that not more than \$125,000 shall be expended for the administration of the Massachusetts national and community service commission 1,498,494

Federal Appropriations

7003-1010 For the purposes of a federally funded grant entitled, Trade Expansion Act Program..... 4,000,000

7003-1621 For the purposes of federally funded grants entitled, Title II-Training Services for the Disadvantaged and Title III-Employment and Training Assistance for Dislocated Workers..... 55,000,000

7003-2013 For the purposes of a federally funded grant entitled, Mine Safety and Health Training..... 34,106

7002-6628 For the purposes of a federally funded grant entitled, Disabled Veterans Outreach Program 2,006,739

7002-6629 For the purposes of a federally funded grant entitled, Local Veterans Employment Representative Program 1,461,008

7002-6630 For the purposes of a federally funded grant entitled, Massachusetts Occupational Information Coordinating Committee Administration 142,498

7003-9006 For the purposes of a federally funded grant entitled, One-Stop Career Centers; provided, that no career centers in addition to those seven in operation on May 1, 1997, and any satellite offices associated therewith which are currently scheduled to open on or before December 1, 1997, shall be operated in the commonwealth in fiscal year 1998, except with further express statutory approval; and provided further, that on or before December 1, 1997, the joint committee on commerce and labor and the house and senate committees on ways and means shall be provided with a detailed accounting of the amounts previously received pursuant to said grant and the specific purposes for which and by whom such monies have been used..... 2,400,000

Department of Housing and Community Development.

State Appropriations

7004-0001 For the Indian affairs commission..... 67,921

7004-0002 For the urban initiative fund, a loan and grant program for inner-city neighborhoods, for the purposes of education, job training, business development, health care, day care, youth activities, including athletic and recreation programs, violence and crime prevention, and housing; pro-

	vided, that not less than \$40,000 of the amount appropriated herein shall be expended as a grant to the planned learned achievement for youth program; and provided further, that said urban initiative fund shall be administered by the community development finance corporation pursuant to section 137 of chapter 133 of the acts of 1992.	500,000
	Local Aid Fund.....100.0%	
7004-0003	For the Boston housing authority for a program to provide certain tenant services for the West Broadway housing authority task force; provided, that funds appropriated herein shall be obligated for expenditure by the West Broadway housing task force for the purpose of tenant services provided by said task force; and provided further, that funds appropriated herein shall not be expended by the Boston housing authority for discretionary purposes....	76,000
	Local Aid Fund.....100.0%	
7004-0099	For the administration of the department; provided, that, notwithstanding the provisions of any general or special law to the contrary, the department of housing and community development is hereby authorized to make expenditures for the purposes of said department against federal grants for certain direct and indirect costs pursuant to an overhead cost allocation plan approved by the comptroller; provided further, that the comptroller shall establish and designate an account on the Massachusetts management accounting and reporting system for the purpose of making such expenditures; provided further, that expenditures made against said account shall not be subject to appropriation and may include the cost of personnel; provided further, that said department shall submit quarterly reports to the house and senate committees on ways and means on object code expenditures made against said account; and provided further, that not less than \$10,000 be expended for the expenses of the state commission on manufactured housing, as established by chapter 145 of the acts of 1993, including, but not limited to travel, postage, advertising and printing.....	5,484,894
7004-1966	For the loan program established pursuant to section 197E of chapter 111 of the General Laws, as amended, for lead abatement throughout the commonwealth; provided, the terms and conditions of such loans will be based on income eligibility criteria and include terms and plans that allow low- and moderate-income individuals to defer loan repayment until transfer of the property; provided further, that funds made available herein shall be administered by the department of housing and community development in consultation with the department of public health; provided further, that funds shall be disbursed from this item on a quarterly basis subject to a disbursement plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that such disbursements shall be made upon demonstration of need by the entity selected by the department to implement the program funded herein.....	4,500,000

7004-2027	For community economic development; provided, that contracts may be awarded to community-based organizations; and provided further, that no funds shall be expended from the AA subsidiary, so-called, of this item for the compensation of state employees	900,000
	Local Aid Fund.....100.0%	
7004-2475	For the home ownership opportunity affordable housing program; provided, that all sums appropriated herein shall be used to write down interest rates on soft second mortgage loans, so-called, for low- and moderate-income first-time home buyers; provided further, that the total payment obligations of home ownership opportunity program contracts do not exceed \$15,000,000	500,000
7004-3036	For housing services to provide assistance through community-based organizations to low-income tenants in privately-owned housing, and to landlords to maintain such housing; provided, that no funds shall be expended from the AA subsidiary, so-called, of this item for the compensation of state employees.....	265,000
7004-4314	For the expenses of a service coordinators program established by the department of housing and community development to assist tenants residing in housing developed pursuant to sections 39 and 40 of chapter 121B of the General Laws to meet tenancy requirements in order to maintain and enhance the quality of life in said housing	600,000
7004-8878	For the private rental housing development action loan program; provided, that notwithstanding the provisions of any general or special law to the contrary, no new commitments, contracts, or renegotiations of existing contracts shall be entered into during fiscal year 1998 or any subsequent fiscal year	2,467,621
7004-9004	For the implementation of sections 141 and 349	1,000,000
7004-9005	For subsidies to housing authorities and nonprofit organizations for deficiencies caused by certain reduced rentals in housing for the elderly, handicapped, veterans and relocated persons pursuant to sections 32 and 40 of chapter 121B of the General Laws; provided, that notwithstanding the provisions of any general or special law to the contrary, all housing authorities operating elderly public housing are authorized and directed to offer first preference for elderly public housing units which are vacant as of the effective date of this act, and thereafter, to those persons 60 years of age or older on June 30, 1995, then receiving rental assistance from the Massachusetts rental voucher program; provided further, that the department of housing and community development shall enforce compliance by local housing authorities with said provisions, and is hereby authorized to take such actions as it deems necessary, including requiring regular, current reports by housing authorities and non-profit organizations operating such public housing, to insure compliance in a timely and equitable manner; provided further, that said department may expend funds appropriated herein for	

deficiencies caused by certain reduced rentals which may be anticipated in the operation of housing authorities for the first quarter of the subsequent fiscal year; provided further, that no monies shall be expended from this item for the purpose of reimbursing the debt service reserve and capital reserve included in the budgets of housing authorities; provided further, that no funds shall be expended from this item for the compensation of state employees; provided further, that the amount appropriated herein shall be deemed to meet any and all obligations pursuant to said sections 32 and 40; provided further, that not less than \$45,000 be provided for the establishment of a computer lab to be located at the state-aided Innes apartments operated by the Chelsea Housing Authority; and provided further, that any new reduced rental units developed in fiscal year 1998 eligible for subsidies pursuant to this item, shall not cause any annualization that results in an amount exceeding the amount appropriated herein

27,650,000

Local Aid Fund.....100.0%

7004-9024

For a program of rental assistance for families and elderly persons of low income through mobile and project based vouchers; provided, that notwithstanding the provisions of any general or special law to the contrary, said rental assistance in the form of mobile vouchers, so-called, shall be paid only to those eligible households, currently holding mobile vouchers, so-called, that held, or were lawfully entitled to hold, chapter 707 certificates, so-called, as of October 31, 1992, pursuant to the 707 program, so-called, and to those households currently holding mobile vouchers, so-called, that held, or were lawfully entitled to hold state housing vouchers, so-called, as of October 31, 1992, pursuant to a program of housing assistance consistent with the program requirements established by the federal government for the program authorized by Public Law 98-181, Section 207; provided further, that in emergency situations, subject to the approval of the director of the department, not more than 100 project-based vouchers, so-called, shall be converted to mobile vouchers, so-called, in fiscal year 1998, for the purpose of providing housing vouchers to eligible households currently occupying project-based units, so-called, the leases of which have expired due to the non-renewal of project-based rental assistance contracts; provided further, that at the discretion of the director, on a case by case basis, the department shall utilize all otherwise available funds, appropriated herein, to increase the rental subsidy at eligible project-based developments, so-called; provided further, that the department shall submit a report to the house and senate ways and means committees, no later than September 1, 1997, detailing the department's guidelines for assessing emergency situations involving the conversion of project-based vouchers, so-called, to mobile vouchers, so-called, and the eligibility of a project-based development to receive a rental subsidy increase in fiscal year 1998; provided further, that the department shall submit quarterly reports to the house and senate

ways and means committees detailing the number of project-based vouchers, so-called, which have been converted to mobile vouchers, so-called, and the number of project-based developments that have elected or are at risk of non-renewal of the rental assistance contract; provided further, that there shall be no further payments made under said chapter 707 program, so-called, or under said program of housing assistance consistent with the requirements established by the federal government for the program authorized by Public Law 98-181, Section 207, which state program was known as the state housing voucher program, so-called; provided further, that rental assistance shall only be paid pursuant to a program to be known as the Massachusetts rental voucher program, as such program may hereafter be amended by the department of housing and community development; provided further, that the income of said households shall in no event exceed 200 per cent of the federally-established poverty level; provided further, that any household, in which a participant or member of a participant's household in the Massachusetts rental voucher program shall fail to provide his or her social security number for use in verifying the household's income and eligibility, shall no longer be eligible for a voucher or to receive benefits pursuant to the Massachusetts rental voucher program; provided further, that the director of said department as a condition of continued eligibility for a voucher and voucher payments, may require disclosure of social security numbers by participants and members of participants' households in the Massachusetts rental voucher program for use in verification of income with other agencies, departments and executive offices in the commonwealth; provided further, that said vouchers shall be in varying dollar amounts and set by the director based on considerations, including, but not limited to, family size and composition, family income levels, and geographic location; provided further, that notwithstanding the provisions of any general or special law to the contrary, the use of rent surveys shall not be required in determining the amounts of such mobile vouchers, so-called, or such project-based vouchers, so-called; provided further, that any household which is proven to have caused intentional damages to their rental unit in an amount exceeding two month's rent during any one year lease period shall be terminated from the program; provided further, that notwithstanding the provisions of any general or special law to the contrary, a mobile voucher whose use is or has been discontinued shall not be reassigned at any time; provided further, that an allowance not to exceed \$25 per voucher per month shall be determined and paid by said department for administration of the rental assistance program; provided further, that said costs of administration shall not exceed 6 per cent of the appropriation provided herein; provided further, that said 6 per cent shall include, but not be limited to, all expenditures which may be made by the director to conduct or otherwise contract for rental

voucher program inspections; provided further, that under no circumstances shall subsidies be reduced for the cost of accommodating the cost of said inspections; provided further, that notwithstanding any provision of law to the contrary, there shall be no maximum percentage applicable to the amount of income paid for rent by each household holding a mobile voucher, so-called, or project-based voucher, so-called, but each household shall pay at least 30 per cent of income as rent; provided further, that said department shall establish the amounts of the mobile vouchers, so-called, and the project-based vouchers, so-called, so that the appropriation herein is not exceeded by payments for rental assistance and administration; provided further, that said department shall not enter into commitments which will cause it to exceed the appropriation set forth herein; provided further, that the amount of a rental assistance voucher payment for an eligible household shall not exceed the rent less the household's minimum rent obligation; provided further, that the word "rent" as used in this item shall mean payments to the landlord or owner of a dwelling unit pursuant to a lease or other agreement for a tenant's occupancy of the dwelling unit, but shall not include payments made by the tenant separately for the cost of heat, cooking fuel, and electricity; provided further, that upon vacancy of a project-based dwelling unit, households holding mobile vouchers, so-called, shall have priority for occupancy of said project-based dwelling units; provided further, that said department may impose certain obligations for each participant in the Massachusetts rental voucher program through a 12 month contract which shall be executed by the participant and the department; provided further, that such obligations may include, but need not be limited to, job training, counseling, household budgeting, and education, to the extent that appropriate programs, as defined in regulations promulgated by the department of housing and community development, are available; provided further, that each participant shall be required to undertake and meet any such obligation as a condition for continued eligibility in the program; provided further, that for continued eligibility each participant shall execute any such 12 month contract on or before September 1, 1997 if his or her annual eligibility recertification date occurs between June 30, 1997 and September 1, 1997 and otherwise on or before his or her annual eligibility recertification date; provided further, that any participant who is over the age of 60 years or who is handicapped may be exempted from any obligations unsuitable under his or her particular circumstances; provided further, that the department of housing and community development shall submit an annual report to the secretary of administration and finance and the house and senate committees on ways and means detailing expenditures, the number of outstanding rental vouchers, and the number and types of units leased; and provided further, that no funds shall be expended from the AA subsidiary, so-called, of this item for the compensation of state employees

7004-9027

For state housing assistance for rental production (SHARP) contracts with sponsors of rental housing projects, financed through the Massachusetts housing finance agency established pursuant to chapter 708 of the acts of 1996, in the form of a loan by the commonwealth to facilitate the construction or rehabilitation of rental housing projects pursuant to the provisions of section 7 of chapter 574 of the acts of 1983; provided, that notwithstanding the provisions of section 27 of chapter 23B or sections 26 and 27 of chapter 29 of the General Laws to the contrary, the department of housing and community development is hereby authorized to enter into such contracts for terms not exceeding 15 years with annual payment obligations not to exceed \$30,098,634; provided further, that notwithstanding the provisions of any general or special law to the contrary, no new commitments shall be entered into during fiscal year 1998 for said fiscal year or any subsequent fiscal years; provided further, that the director of said department is hereby authorized and directed to review all amounts disbursed through this program in the five fiscal years previous to the effective date of this act and to recover all excess funds disbursed; and provided further, that the director shall file a report with the house and senate committees on ways and means, detailing the recovery of said overpayments and recommending alternative uses for said amounts

30,098,634

7004-9030

For the transitional rental assistance program established pursuant to chapter 179 of the acts of 1995; provided, that notwithstanding the provisions of any general or special law to the contrary, said transitional rental assistance shall be in the form of mobile vouchers, so-called; provided further, that said vouchers shall be in varying dollar amounts and set by the director on considerations including, but not limited to, household size and composition, ranges of household income and geographic location; provided further, that any household which is proven to have caused intentional damages to their rental unit in an amount exceeding 2 month's rent during any 1 year shall be terminated from the program; provided further, that said department shall pay local housing agencies administering said program an allowance not to exceed \$25 per voucher per month to cover the costs of administration; provided further, that notwithstanding any provision of law to the contrary, there shall be no maximum percentage applicable to the amount of income paid for rent by each household holding a mobile voucher, so-called, but each household shall be required to pay not less than 25 per cent of their net income, as defined in regulations promulgated by said department, for units if utilities are not provided by the unit owner, or not less than 30 per cent of their income for units if utilities are provided by the unit owner; provided further, that payments for said transitional rental assistance may be provided in advance; provided further, that said department shall establish the amounts of the mobile vouchers, so-called, so that the appropriation herein is not exceeded by

payments for rental assistance and administration; provided further, that said department shall not enter into commitments which will cause it to exceed the appropriation set forth herein; provided further, that the amount of a rental assistance voucher payment for an eligible household shall not exceed the rent less the household's minimum rent obligation; provided further, that the word "rent" as used in this item shall mean payments to the landlord or owner of a dwelling unit pursuant to a lease or other agreement for a tenant's occupancy of the dwelling unit, but shall not include payments made by the tenant separately for the cost of heat, cooking fuel, and electricity; provided further, that said department shall submit an annual report to the state budget director, the secretary of administration and finance, and the house and senate committees on ways and means detailing expenditures, the number of outstanding rental vouchers, and the number and types of units leased; provided further, that nothing stated herein shall give rise to enforceable legal rights in any party or an enforceable entitlement to any form of housing; and provided further, that nothing stated herein shall be construed as giving rise to such enforceable legal rights or such enforceable entitlement.....

3,202,920

7004-9101	For federally aided urban renewal community development; provided, that no new contracts shall be entered into during fiscal year 1998.....	97,874
	Local Aid Fund.....100.0%	
7004-9102	For non-federally aided urban renewal community development; provided, that no new contracts shall be entered into during fiscal year 1998.....	191,145
	Local Aid Fund.....100.0%	
7004-9108	For urban revitalization and development, for projects authorized pursuant to section 54 of chapter 121B of the General Laws; provided, that notwithstanding the provisions of section 53 or 57 of said chapter 121B to the contrary, such funds may be provided to any agency of a city or town designated by the chief executive officer to act on behalf of the city or town; provided further, that no new commitments shall be entered into during fiscal year 1998; and provided further, that \$118,000 shall be expended for grants to the city of Pittsfield.....	2,441,500
	Local Aid Fund.....100.0%	
7004-9201	For interest subsidies for the private development of affordable housing; provided, that, notwithstanding the provisions of any general or special law to the contrary, no new commitments shall be entered into during fiscal year 1998 for said fiscal year or any subsequent fiscal years	7,966,427
7004-9315	For the low-income housing tax credit program; provided, that the department of housing and community development may expend an amount not to exceed \$488,714 accrued from fees collected for the regulation of TELLER, so-called, projects undertaken pursuant to paragraph (m) of section 26 of chapter 121B of the General Laws, from fees collected pursuant to Executive Order No. 291, pertaining	

to low-income housing tax credits, and from fees collected pursuant to the rental housing development action loan program, for the costs of administering and monitoring said programs, including the costs of personnel, subject to the approval of the director of the department of housing and community development..... 488,714

7004-9320 For the publication of community profiles, so-called; provided, that the department of housing and community development may expend an amount not to exceed \$6,000 accrued from fees collected for the printing and distribution costs of "Community Profiles"; and provided further, that notwithstanding the provisions of any general or special law to the contrary, the department of housing and community development is hereby authorized to establish a fee sufficient to cover the costs of printing and distributing said "Community Profiles" 6,000

Federal Appropriations

7004-0300 For the purposes of a federally funded grant entitled, Lead Paint Abatement 89,706

7004-0301 For the purposes of a federally funded grant entitled, Lead Paint Initiatives 2,685,000

7004-2030 For the purposes of a federally funded grant entitled, Weatherization Assistance for Low Income Persons; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies 3,186,824

7004-2033 For the purposes of a federally funded grant entitled, Low Income Home Energy Assistance Program; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development shall provide monthly payments in advance to participating agencies 36,508,938

7004-2034 For the purposes of a federally funded grant entitled, Community Services Block Grant; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies 10,570,068

7004-3037 For the purposes of a federally funded grant entitled, Small Cities Community Development Block Grant Program; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies 31,187,468

7004-3050 For the purposes of a federally funded grant entitled, Rural Development Councils 146,700

7004-9009 For the purposes of a federally funded grant entitled, Section 8 Substantial Rehabilitation Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies 5,203,225

7004-9011	For the purposes of a federally funded grant entitled, Supportive Housing Demonstration Program	743,578
7004-9013	For the purposes of a federally funded grant entitled, Section 8 Existing Housing Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies.....	72,949,087
7004-9014	For the purposes of a federally funded grant entitled, Section 8 Federal Housing Voucher Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies.....	24,625,523
7004-9019	For the purposes of a federally funded grant entitled, Section 8 Moderate Rehabilitation; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies	16,719,100
7004-9020	For the purposes of a federally funded grant entitled, Section 8 New Construction Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies.....	3,864,024
7004-9028	For the purposes of a federally funded grant entitled, HOME; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies.....	6,955,335
7004-9051	For the purposes of a federally funded grant entitled, Shelter Plus Care-Lowell; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies	45,000
7004-9052	For the purposes of a federally funded grant entitled, Shelter Plus Care-Boston; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies	996,000
7004-9053	For the purposes of a federally funded grant entitled, Shelter Plus Care-Southbridge; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies.....	165,000
7004-9054	For the purposes of a federally funded grant entitled, Shelter Plus Care-New Bedford; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies.....	50,000

OFFICE OF CONSUMER AFFAIRS AND
BUSINESS REGULATION.

7006-0000	For the office of the director of consumer affairs and business regulation, including expenses of an administrative services unit.....	1,522,809
	<i>Division of Banks.</i>	
7006-0010	For the operation and administration of the division of banks..	9,135,365
	<i>Division of Insurance.</i>	
7006-0020	For the operation and administration of the division, including expenses of the board of appeal on motor vehicle policies and bonds, and certain other costs of supervising motor vehicle liability insurance and the expenses of the fraudulent claims board; provided, that the positions of counsel I and counsel II shall not be subject to the provisions of chapter 31 of the General Laws; provided further, that contracts or orders for the purchase of statement blanks for the making of annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed by section 1 of chapter 5 of the General Laws; provided further, that the division of insurance shall maintain a phone system in its western Massachusetts office that will immediately transfer calls made to that office to the consumer assistance office in Boston during any business hours when the western Massachusetts office is closed; provided further, that the division shall have an employee or other such person answering all initial incoming telephone calls between the hours of nine o'clock ante meridian and five o'clock post meridian; and provided further, that the division shall designate an employee to handle all incoming calls relative to chapter 218 of the acts of 1995 or regulations promulgated under said chapter 218	5,049,706
	General Fund	60.0%
	Highway Fund	40.0%
7006-0030	For the additional costs associated with administration of the division; provided, that the commissioner of insurance shall expend funds from this item for the purpose of maintaining accreditation by the national association of insurance commissioners	3,196,687
	Division of Insurance Trust Fund	100.0%
	<i>Division of Registration.</i>	
7006-0040	For the operation and administration of the division of registration; provided, that the division shall at all times employ no fewer than two hearings officers to facilitate the processing of the cases pending before the various boards within said division; provided further, that the division of investigator of radio-television technicians shall not be subject to chapter 31 of the General Laws; and provided further, that the division shall maintain and staff an office in Springfield	4,708,159

7006-0050	For personnel, administrative, computer, equipment, newsletter and other expansion costs of the board of registration in nursing, in addition to funds available to said board in item 7006-0040	418,242
<i>Division of Standards.</i>		
7006-0060	For the operation and administration of the division of standards.....	503,464
<i>Department of Public Utilities.</i>		
7006-0070	For the operation and administration of the department of public utilities including the community antenna television commission; provided, that notwithstanding the provisions of the second sentence of the first paragraph of section 18 of chapter 25 of the General Laws, the assessments levied pursuant to said first paragraph of said section 18 for fiscal year 1998 shall be made at a rate sufficient to produce \$5,233,867; provided further, that the department shall maintain a toll free consumer access telephone number to facilitate state-wide citizen access on customer service issues in the delivery of cable television services.	5,233,867
7006-0080	For the operation and administration of the transportation division	597,966
7006-0090	The department of public utilities may expend revenues collected up to \$225,000 for the operation of the energy facilities siting commission	225,000
<i>Alcoholic Beverages Control Commission.</i>		
7006-0100	For the operation and administration of the alcoholic beverages control commission; provided, that the commission is hereby authorized and directed to take all steps necessary, up to and including amending its regulations, to eliminate duplication of tasks currently performed by the commission which are also performed by the cities and towns, including but not limited to the performance of investigations; and provided further that on or before March 2, 1998, the commission shall submit a report to the house and senate committees on ways and means which details all steps the commission has taken to fulfill the foregoing directive	1,079,506
<i>State Racing Commission.</i>		
7006-0110	For the operation and administration of the state racing commission.....	3,660,193
<i>Board of Registration in Medicine.</i>		
7006-0130	For the operation and administration of the board of registration in medicine and the committee on acupuncture, including the cost of the physician profile	1,634,113
<i>Department of Economic Development.</i>		
State Appropriations		
7007-0100	For the office of the director of the department of economic development	274,997

7007-0101	For minority economic and community development grants; provided, that notwithstanding the provisions of any general or special law to the contrary, the director of economic development, in consultation with the secretary of administration and finance and the director of the department of housing and community development, is hereby authorized and directed to establish a task force on minority economic and community development for the purpose of determining the best uses for the funds appropriated herein; provided further, the task force shall seek and consider the advice of individuals and organizations involved in minority economic and community development including, but not limited to, the recommendations contained in the Hispanic-American advisory commission report; provided further, that said task force shall submit to the house and senate committees on ways and means the plan for the distribution of grants, a timeline for said distribution, a comprehensive list of grant applicants and a list of awarded grants; provided further, that not less than \$125,000 shall be awarded to Nueva Esperanza, Inc., a community development corporation serving Latino and lower income people in a fish farming, processing, and marketing venture for the purposes of an urban aquaculture project.....	495,000
7007-0102	For the operation and expenses of the Berkshire economic development authority established by chapter 295 of the acts of 1996; provided, that said authority shall develop site re-use plans necessary to implement the Pittsfield pilot program and encourage job creation and economic growth as provided in section 23 of said chapter 295; provided further, that this appropriation shall be subject to a 30 per cent matching funds requirement from local or other public or private sources Local Aid Fund.....100.0%	250,000
7007-0300	For the operation and administration of the Massachusetts office of business development and the regionalization and job creation program administered by said office, and for marketing and promoting Massachusetts, nationally and internationally, in an effort to attract and retain targeted businesses and industries; provided, that not less than \$80,000 be expended for the Cape Cod economic development council of Barnstable county; provided further, that not less than \$200,000 shall be expended for the Center for Advanced Fiberoptic Applications of Southbridge; and provided further, that appropriation of said monies shall be contingent upon receipt of matching federal funds; provided further, that not less than \$80,000 shall be expended to support the activities carried out by the non-profit Blackstone Valley development corporation; provided further, that said allocation shall be contingent upon the receipt of private sector matching funds; provided further, that said allocation shall be the last and final payment to said corporation; provided further, that the office maintain business development assistance services to serve southeastern Massachusetts by responding to	

	business inquiries and providing assistance and encouragement in office space at the university of Massachusetts at Dartmouth, for New Bedford and Fall River; provided further, that not less than \$250,000 be expended for the Massachusetts ventures corporation in the Pioneer Valley; provided further, that not less than \$350,000 shall be obligated to the Western Massachusetts Precision Institute for year one of a three year program to expand an existing machinist training program and extend services into central Massachusetts; provided further, that not less than \$125,000 shall be obligated as final payment for the support of programs operated by a farm workers' organization serving low-income people and the hispanic population of western Massachusetts; provided further, that said organization shall submit a plan to the house and senate committees on ways and means detailing how program funding will be maintained in fiscal year 1999; provided further, that for any and all advertising and marketing programs funded herein, said office shall be required to report to the house and senate committees on ways and means the number of companies contacted, number of companies responding and number of companies locating to the commonwealth for each program conducted and funded herein.....	2,517,843
7007-0350	For the purpose of a state matching grant to the Massachusetts manufacturing partnership upon its receipt of federal funds from the national institute of standards and technology of the department of commerce, to support the creation of or assistance to manufacturing extension services, alternative deployment pilot projects, technology access programs, and other technology deployment programs; provided, that no funds shall be expended from this item prior to the receipt of federal funds General Fund93.14% Economic Development Fund.....6.86%	675,000
7007-0500	For the operation and maintenance of the Massachusetts biotechnology research institute for the purpose of promoting the commercialization of new, academic-based research and development, and raising the scientific awareness of the communities of the commonwealth..... General Fund93.14% Economic Development Fund.....6.86%	500,000
7007-0515	For the operation of the Devens Enterprise Commission General Fund93.14% Economic Development Fund.....6.86%	275,540
7007-0800	For the state match for a small business development center; provided, that no funds shall be expended from this account until such time as the United States small business administration has executed a grant or contract with the university of Massachusetts at Amherst for the operation of said center; provided further, that the funds expended from this account shall not exceed 25 per cent of the gross operating cost of said center; and provided	

further, that quarterly expenditure reports shall be filed with the house and senate committees on ways and means

747,203

7007-0900

For the operation and administration of the office of travel and tourism; provided, that for the purposes of developing the request for proposals, so-called, for any marketing and advertising contract, and for overseeing and evaluating said contract, the office shall implement performance-based standards which shall include, but not be limited to, a correlation between compensation and outcomes; provided further, that said performance-based request for proposals and subsequently awarded contracts shall be submitted to the house and senate committees on ways and means and the joint committee on commerce and labor in conjunction with the office's explicit expectations, including quantifiable measures, for any marketing and advertising program undertaken with funds appropriated herein; provided further, that not less than \$2,000,000 shall be expended for a program of international tourism promotion and marketing; provided further, that not less than \$200,000 shall be expended for the Baystate games, so-called; provided further, that not less than \$200,000 shall be expended for the expenses of the Massachusetts international trade council; provided further, that \$1,000,000 shall be expended for the production and broadcast expenses of the Evening at the Pops; provided further, that nothing in this appropriation shall commit the commonwealth to any expenditure related to said broadcast and production expenses in future years; provided further, that the office of travel and tourism shall receive advertising rights associated with said program; provided further, that not less than \$350,000 shall be expended for the purposes of the Visitor Information Services Travel Alliance ("VISTA") according to section 19 of chapter 102 of the acts of 1995; provided, that of said \$350,000, \$175,000 shall be assessed against the Massachusetts Turnpike Authority for the purposes of said Visitor Information Service Travel Alliance; provided further, that such assessments shall be credited to the General Fund; provided further, that said VISTA board shall develop a statewide plan for creating local VINS; provided further, that the VISTA board shall develop a plan to link all visitor and information centers in the commonwealth into a unified visitor information system; provided further, that no later than March first of every year, the VISTA board submit to the house and senate committees on ways and means said plans; provided further, that said VISTA board shall make available grants to operators of visitor facilities in the commonwealth to the locally designated VINS boards to provide support for visitor information and visitor services; provided further, that not less than \$60,000 shall be expended for a tourist information center on state route 3 in Plymouth operated by the Plymouth County Development Council; provided further, that said operator or VINS board shall comply with the provisions pursuant to

section 19 of chapter 102 of the acts of 1995; provided further, notwithstanding any general or special law to the contrary, no less than \$350,000 shall be annually administered from the grant program established in section 22 of said chapter 102 to the VISTA board for the purposes of the VISTA grant program; provided further, the VISTA board is authorized and directed to disseminate said funds in a manner the board deems appropriate for the purposes of the program; provided further, that not less than \$250,000 shall be expended for costs incurred by the Massachusetts Sports Partnership, Inc; provided further, that not less than \$50,000 shall be expended for the promotion of golf on Cape Cod; provided further, that \$200,000 shall be expended to promote and market the colleges and universities of Massachusetts; and provided further, that a promotion and marketing plan shall be developed in consultation with the board of higher education and the Association of Independent Colleges and Universities of Massachusetts; provided further, that not less than \$100,000 shall be expended for the Freedom Trail Foundation.....

10,920,000

Massachusetts Tourism Fund..... 100.0%

7007-1000

For assistance to local tourist councils pursuant to section 14 of chapter 23A of the General Laws; provided that, notwithstanding the provisions of any general or special law, regulation or rule to the contrary, each of said councils may expend an amount not to exceed 20 per cent of the grant it receives herein for the cost of administrative services

5,187,000

Massachusetts Tourism Fund..... 100.0%

7007-1200

For a program to create and maintain a more favorable and responsive environment for the formation, growth, attraction and retention of technology-intensive industry for the commonwealth through the support of activities of clusters of technology-intensive organizations; provided, that any portfolio of such clusters shall include firms and universities concerned with federal technology funding and medical device manufacturing; and provided further, that clusters may be characterized by technological or market focus, geographic proximity, or other shared interests; and provided further, that the provision of support by the corporation to such clusters shall be deemed to be the exercise of an essential governmental function and shall be intended to (1) foster increased collaboration among cluster organizations, (2) facilitate improved communications between the commonwealth and cluster organizations, (3) identify and respond to challenges and opportunities related to the continued growth and development of the targeted clusters in Massachusetts, (4) enhance the competitive position of cluster firms, (5) reduce the costs of doing business in the commonwealth through one or more purchasing cooperatives, and (6) generally improve the perception of cluster firms of the value and benefits of doing business in the commonwealth; and provided further, that amounts appropriated

	herein shall be expended to the Massachusetts technology park corporation to be held and applied thereby and administered through its Massachusetts technology collaborative; and provided further, that said corporation shall establish an independent advisory panel that includes representatives from Massachusetts industry, universities, and government agencies to advise said corporation relative to the most effective application of funds appropriated herein; and provided further, that the executive director shall file a report with the house and senate committees on ways and means and the house and senate committees on science and technology, detailing the activities undertaken with the funds appropriated herein by March 15, 1998	875,000
7007-1300	For operation and administration of the Massachusetts international trade council; provided further, that not less than \$165,000 shall be expended for an international trade assistance center in Fall River	819,000
	Massachusetts Tourism Fund..... 100.0%	
7007-1500	For the operation and administration of the state office of minority and women business assistance.....	555,318
7007-2215	For the council of state government’s Yankee Trader Institute as established by section 59 of chapter 120 of the acts of 1995, prior appropriation continued	27,000
Federal Appropriations		
7007-0002	For the purposes of a federally funded grant entitled, Massachusetts Fisheries Initiative	558,000
7007-0211	For the purposes of a federally funded grant entitled, Massachusetts Modernization Partnership.....	2,923,440
7007-7000	For the purposes of a federally funded grant entitled, Planning Assistance — Department of Commerce Development.....	66,313
7007-9007	For the purposes of a federally funded grant entitled, Urban Enterprise Program.....	3,000,000
	<i>Division of Energy Resources.</i>	
State Appropriations		
7007-0600	For the operation and administration of the division of energy resources	565,514
7007-0700	For the residential conservation service program pursuant to chapter 465 of the acts of 1980, and the commercial and apartment conservation service program pursuant to section 12 of chapter 25A of the General Laws	207,482
Federal Appropriations		
7007-9720	For the purposes of a federally funded grant entitled, State Heating Oil and Propane Program	22,725
7007-9743	For the purposes of a federally funded grant entitled, State Energy Plan	708,283
7007-9757	For the purposes of a federally funded grant entitled, Northeast Regional Biomass Program	29,956

Department of Education.

State Appropriations

7010-0005	For the operation of the department; provided, that not less than \$50,000 shall be expended for staff and support services for the education reform and review commission established pursuant to the provisions of chapter 71 of the acts of 1993	8,893,049
7010-0012	For grants to cities, towns, or regional school districts for payments of certain costs incurred under the program for the elimination of racial imbalance; provided, that grants to a city, town, or regional school district shall be limited to actual and specifically documented incremental costs including those costs pursuant to chapter 71B of the General Laws incurred as a direct consequence of participation in the program whenever the reimbursements requested by such city, town, or regional school district exceed the level of reimbursement received in fiscal year 1977; and provided further, that the division of elementary, secondary, and occupational education shall, through a competitive procurement process, contract with qualified school transportation business enterprises Local Aid Fund 100.0%	12,031,328
7010-0016	For the attracting excellence to teaching program established pursuant to section 19A of chapter 15A of the General Laws; provided, that not less than \$300,000 shall be expended for grants to new teachers; provided further, that said teachers shall have graduated in the top 15 per cent of their undergraduate class; and provided further, that said grants shall not exceed \$1,800 per teacher Local Aid Fund..... 100.0%	600,000
7010-0017	For grants to charter schools, provided, that the board of education may award grants to charter schools established pursuant to section 89 of chapter 71 of the General Laws, as added by section 55 of the acts of 1993; provided further, that said grants shall be awarded to support costs associated with planning and development of said schools; provided further, that charter schools shall submit requests for said grants to the board of education; and provided further, that grants shall be awarded pursuant to guidelines developed by said board Local Aid Fund..... 100.0%	250,000
7010-0042	For grants to cities, towns, or regional school districts for the cost of providing magnet educational programs in accordance with the provisions of section 37I and 37J of chapter 71 of the General Laws; provided, that any payment made under this appropriation shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town, or regional school district without further appropriation, notwithstanding the provisions of any general or special law to the contrary; provided further, that any portion of this appropriation item may be expended by the state	

board of education to purchase the services of magnet educational programs; and provided further, that no payments or approvals shall be given or made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated herein

4,800,000

Local Aid Fund..... 100.0%

7010-0043

For grants for the equal education improvement fund for cities, towns, or regional school districts under the provisions of section 11 of chapter 15 of the General Laws; provided, that notwithstanding the provisions of said section 11 or section 37D of chapter 71 of the General Laws, pupils qualifying for funding under the equal education improvement fund shall also include those of Hispanic and southeast Asian origin; provided further, that any payment made under this appropriation shall be deposited with the treasurer of such city, town, or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding the provisions of any general or special laws to the contrary; and provided further, that no payments or approvals shall be given or made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount of this appropriation

8,448,000

Local Aid Fund..... 100.0%

7027-0016

For matching grants for various school-to-work programs; provided, that the board of education shall establish guidelines for said programs in consultation with the department of labor and workforce development; provided further, that any funds distributed from this item to cities, towns, or regional school districts shall be deposited with the treasurer of such city, town, or regional school district and held in a separate account and shall be expended by the school committee without further appropriation, notwithstanding the provisions of any general or special laws to the contrary; provided further, that each grant awarded herein shall be matched by the recipient from local, federal or private funds; and provided further, that the board of education may determine the percentage match required on an individual grant basis; provided further, that \$25,000 shall be made available to the Hyannis Economic Development Council for school to work connecting activities with Barnstable high school

864,000

Local Aid Fund..... 100.0%

7027-1000

For the state matching requirement of the partnerships advancing learning mathematics and science and the community service projects

2,015,242

Local Aid Fund 100.0%

7028-0031

For the expenses of school age children in institutional schools required pursuant to section 12 of chapter 71B of

	the General Laws; provided, that the department is authorized to provide special education services to eligible inmates in county houses of correction	8,927,098
	Local Aid Fund 100.0%	
7028-0302	For the educational expenses of certain school age children with special needs attending schools under the provisions of section 10 of chapter 71B of the General Laws, for the educational expenses of school age children with special needs attending day or residential programs who have no father or mother or guardian living in the commonwealth, and for expenses relating to the provision of special education to certain children transferred by other state agencies to the department of education; provided, that no payments or approvals shall be given or made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated herein; and provided further, that notwithstanding the provisions of any general or special law to the contrary, increases in the rate paid to an institution or school for services provided in prior fiscal years and prior fiscal years' tuition and transportation reimbursements may be expended from this item.....	3,508,460
	Local Aid Fund..... 100.0%	
7030-1000	For contracts with cities, towns, regional school districts, educational collaboratives, head start programs, and licensed day care providers for early care and education programs, pursuant to the provisions of section 54 of chapter 15 of the General Laws; provided, that any payment made under any such contract with a school district shall be deposited with the treasurer of such city, town, or regional school district and held as a separate account and shall be expended by the school committee of such city, town, or regional school district without municipal appropriation, notwithstanding the provisions of any general or special law to the contrary; provided, further, that notwithstanding the provisions of said section 54, school districts and head start agencies that served as lead agencies in fiscal year 1997 shall receive the same amounts, subject to the same conditions as in said fiscal year, and in any city or town in which there was only one lead agency in fiscal year 1995 such lead agency shall serve as lead agency to submit proposals pursuant to said section 54; provided, further, that in addition to services provided by Head Start pursuant to this item in fiscal year 1997, not less than an additional \$2,000,000 shall be made available for services provided by Head Start agencies pursuant to the provisions of said section 54, in fiscal year 1998; provided further, that the department shall not enter into any contracts that would cause annualized costs for this item to exceed the amount appropriated herein; provided further, that the amount by which the funds appropriated in this item exceed the amount appropriated in item 7030-1000 of chapter 60 of the acts of 1994 shall be used to provide services to the children of working parents; provided further, that in allocating said funds, the board of education	

	shall give priority consideration to three and four year old children in cities and towns where high concentrations of low income working families reside; provided further, that not less than one-third of the total slots funded by said amount by which the funds appropriated in this item exceed the amounts appropriated in item 7030-1000 of said chapter 60 shall be for full-day, full-year care that meets the needs of working parents; provided further, that \$250,000 shall be made available from this item for a pilot program that involves students from the university of Massachusetts at Lowell and community teamwork, inc. in the provision of child care services; provided further, that in addition to funds provided to family networks, so called, pursuant to this item in fiscal year 1997, not less than an additional \$1,000,000 shall be made available for family networks pursuant to the provisions of section 84 of chapter 71 of the acts of 1993; provided further, that not less than \$1,000,000 shall be expended for early intervention individual tutorial literacy programs designed as a pre-special education referral and short term intervention for children who are at risk of failing to read in the first grade; and provided further, that said programs shall be research based with proven long term results, including identifying students in need of additional help no later than mid first grade, providing ongoing training and support to program teachers, and including ongoing documentation and evaluation of results	70,000,000
	Local Aid Fund..... 100.0%	
7030-1500	For grants to head start programs	6,829,151
	Local Aid Fund..... 100.0%	
7030-2000	For training and for drop-out prevention grants and basic skills remediation programs to cities, towns, regional school districts, and educational collaboratives programs; provided, that 25 per cent of the funds available for drop out prevention programs shall be awarded to school districts that demonstrate a marked increase in the percentage of students who are graduating from a public high school program; provided further, that any funds distributed from this item shall be deposited with the treasurer of such city, town, regional school district or educational collaborative and held in a separate account and shall be expended by the school committee of such city, town, regional school district or educational collaborative without further appropriation, notwithstanding the provisions of any general or special law to the contrary; provided further, that school councils receiving said grants shall be responsible for spending them in accordance with their school improvement plans as defined by section 59C of chapter 71 of the General Laws; provided further, that \$1,475,988 shall be allocated to basic skills remediation programs for students in grades one through nine; and provided further, that \$89,248 be earmarked for the expansion of the Boston-	

	based comprehensive school age parenting program, inc. to accommodate an increased caseload pursuant to chapter 5 of the acts of 1995	3,735,968
	Local Aid Fund..... 100.0%	
7032-0500	For grants to cities and towns and regional school districts for school-based comprehensive health education and human services in schools; provided, that any funds distributed from this item shall be deposited with the treasurer of said city, town or regional school district and held in a separate account and shall be expended without further appropriation by the school committee; provided further, that not more than one percent of the amount appropriated herein shall be expended for administrative costs; provided further, that \$1,400,000 shall be expended on the school linked services program; provided further, that the commissioner of education shall file a report on the distribution of all funds appropriated herein with the joint committee on education and the house and senate committees on ways and means not later than October 15, 1997; provided that no more than \$300,000 shall be expended for teen dating violence prevention; and provided further that no less than \$37,500 shall be expended for the North Quabbin Domestic Violence Prevention Program	11,139,503
	Health Protection Fund 100.0%	
7035-0002	For the expenses of providing and strengthening basic educational attainment and work-related programs in reading, writing and mathematics at adult learning centers; provided, that not less than \$100,000 be expended for programs including, but not limited to, adult basic education and English as a second language provided by the NDEC educational program, so-called; provided further, that \$30,000 shall be expended for the Attleboro Literacy center; and provided further, that \$30,000 shall be expended for the Valley Opportunity Council in the Pioneer Valley; provided further, that \$150,000 shall be expended for the Methuen adult learning center.....	11,745,465
	Local Aid Fund..... 96.64%	
	Commonwealth Economic Development Fund 3.36%	
7035-0004	For reimbursements to cities, towns, regional school districts and independent vocational schools for certain expenditures for transportation of pupils pursuant to the provisions of section 11 of chapter 15 of the General Laws, sections 7A, 7B, and 37D of chapter 71 of the General Laws, section 8 of chapter 71A of the General Laws, section 14 of chapter 71B of the General Laws, and section 8A of chapter 74 of the General Laws; provided, that of the amount appropriated herein, not less than \$1,500,000 shall be obligated for the implementation of chapter 663 of the acts of 1983; provided further, that any city, town or regional school district or independent vocational school which has not accepted the provisions of chapter 663 of the acts of 1983 shall be ineligible for any reimbursement of costs incurred during fiscal year 1997 under this item or for reimbursement of such costs under	

any of the provisions of general law referred to herein; and provided further, that notwithstanding the provisions of any general or special law to the contrary, the commonwealth's obligation shall not exceed the amount appropriated herein

57,600,000

Local Aid Fund..... 100.0%

7035-0006

For reimbursements to regional school districts for the transportation of pupils; provided, that notwithstanding the provisions of any general or special law to the contrary, the commonwealth's obligation shall not exceed the amount appropriated herein

27,939,604

Local Aid Fund..... 100.0%

7051-0015

For the administration of the emergency food assistance programs.....

488,372

Local Aid Fund 100.0%

7052-0003

For school building assistance grants and reimbursements for projects to eliminate racial imbalance under the provisions of chapter 645 of the acts of 1948, as amended, for first annual payments on school projects; provided, that the aggregate amount of first annual estimated payments for school projects approved by the board of education under the provisions of said chapter 645, shall not exceed \$10,911,939, six million of which shall be attributed to the total amount to be expended on the education reform funding schedule specified in section 68 of chapter 71 of the acts of 1993; provided further, that projects on the fiscal year 1997 priority lists ranked through number ten, inclusive, shall be given priority before any other projects; and provided further, that a report shall be filed semi-annually by the board of education with the house and senate ways and means committees regarding funding commitments.....

18,419,128

Local Aid Fund 100.0%

7052-0004

For school building assistance grants and reimbursements for cities and towns not subject to court-ordered or board of education racial imbalance plans under the provisions of chapter 645 of the acts of 1948, for first annual payments on school projects; provided, that the aggregate amount of first annual estimated payments for school projects approved by the board of education under the provisions of chapter 645 of the acts of 1948 in the fiscal year ending June 30, 1998 shall not exceed \$23,160,045, six million of which shall be attributed to the total amount to be expended on the education reform funding schedule specified in section 68 of chapter 71 of the acts of 1993; provided further, that projects on the fiscal year 1997 priority lists ranked through number 122, inclusive, shall be given priority before any other projects; and provided further, that a report shall be filed semiannually by the board of education with the house and senate committees regarding funding commitments.....

14,463,471

Local Aid Fund..... 100.0%

7052-0005	For grants and reimbursements to cities, towns, regional school districts and counties under the provisions of chapter 645 of the acts of 1948, as amended, for annual payments on the accounts of school projects for which first annual payments have been made	177,920,847
	Local Aid Fund..... 100.0%	
7052-0006	For grants and reimbursements to cities, towns, regional school districts and counties under the provisions of chapter 645 of the acts of 1948, as amended, for (a) educational, engineering and architectural services for school districts, (b) surveys made of school building needs and conditions, (c) matching stabilization fund payments, (d) costs of leasing buildings for vocational programs and originally equipping and furnishing said buildings for vocational programs, and (e) payments associated with admission to a regional school district	276,652
	Local Aid Fund..... 100.0%	
7052-0007	For grants and reimbursements to cities, towns, regional school districts and counties for the purposes of the school building assistance program under the provisions of chapter 645 of the acts of 1948, as amended; provided, that of the amount appropriated herein, the board of education may authorize one-time payments of the total reimbursement due to cities and towns for school buildings that are structurally unsound or otherwise in a condition jeopardizing the safety of school children	2,000,000
	Local Aid Fund..... 100.0%	
7053-1909	For reimbursements to cities and towns for partial assistance in the furnishing of lunches to school children, including partial assistance in the furnishing of lunches to school children as authorized by chapter 538 of the acts of 1951, and for supplementing funds allocated for the special milk program; provided, that notwithstanding the provisions of any general or special law to the contrary, payments so authorized in the aggregate for partial assistance in the furnishing of lunches to school children shall not exceed the required state revenue match contained in Public Law 79-396, as amended, cited as the national school lunch act, and in the regulations implementing said act	5,426,986
	Local Aid Fund 100.0%	
7053-1925	For the school breakfast program; provided, that of the sum appropriated herein, not less than \$300,000 shall be expended for the summer food service outreach program, and not less than \$200,000 shall be expended for the school breakfast outreach program; provided, that not less than \$225,000 shall be expended for a grant supplement of \$.15 per lunch served and \$.05 per snack and breakfast served be paid to local summer food service providers and not less than \$230,000 shall be expended for a meal supplement of \$.03 per breakfast to be paid to each school which has a participation level of 30 per cent or higher in their school breakfast program, including reimbursement of municipal expenses, prior appropriation continued	1,350,132
	Local Aid Fund 100.0%	

7061-0008	<p>For school aid to cities, towns, regional school districts, counties maintaining agricultural schools and independent vocational schools to be distributed pursuant to the provisions of chapters 70 and 76 of the General Laws, as appearing in sections 32 and 61 of chapter 71 of the acts of 1993; provided, that notwithstanding the provisions of section 3, each school district which receives aid from this item in fiscal year 1998, shall expend from this aid not less than \$75 per student on professional development expenditures as defined in regulations of the department of education; provided, that said \$75 per student shall include \$50 in such aid previously made available in chapter 151 of the acts of 1996; provided further, that \$150,000 of the funds allocated from this item to the city of Lawrence by section 3 shall be transferred to the University of Massachusetts at Lowell for its college preparation program; provided, that \$26,400,000 shall be transferred from item 7061-9100 and credited to this item; provided further, that said \$26,400,000 shall not be subject to the provisions of paragraph (b) of section 12 of chapter 70 of the General Laws; provided further, that notwithstanding the provisions of any general or special law to the contrary, no school district shall receive less than \$75 per student in chapter 70 aid, so-called, in fiscal year 1998; provided, that said aid shall be in addition to the \$75 per student aid authorized and made available in this item of section 2 of chapter 151 of the acts of 1996; and provided further, that each such district shall report to said department the professional development activities funded by said expenditures and said department shall make a determination as to whether said amounts were expended for professional development activities</p> <p>Local Aid Fund 100.0%</p>	2,262,342,702
7061-0009	<p>For reimbursement to cities, towns and regional school districts of public school tuition of any school age child placed in a school district other than a home town by, or under the auspices of, the department of transitional assistance or the department of social services pursuant to section 96 of chapter 71 of the acts of 1993; provided, that notwithstanding section 96 of said chapter 71, said reimbursement shall constitute complete satisfaction of the commonwealth's obligation for tuition payments to cities, towns or regional school districts for school aged children placed by, or under the control of, the department of transitional assistance or the department of social services under the provisions of sections 7 and 9 of chapter 76 of the General Laws, other than in a home town</p> <p>Local Aid Fund..... 100.0%</p>	16,585,420
7061-0011	<p>For a reserve to (1) meet unanticipated or extraordinary increases in the minimum required local contribution of a municipality as calculated pursuant to the requirements of this act and chapter 70 of the General Laws, in conjunction with unanticipated or extraordinary decreases in cherry sheet aid, so-called, for such municipalities; provided, that a municipality seeking funds hereunder shall</p>	

apply for a waiver from the department of revenue pursuant to section 318; provided further, that the commissioner of the department of revenue shall issue a finding concerning such waiver applications within thirty days of the receipt thereof, after consulting with the commissioner of education regarding the merits of said application; (2) meet expenses associated with extraordinary increases in enrollment calculated on a percentage basis for such municipalities; provided, that special consideration shall be given to municipalities experiencing difficulty reaching their foundation budgets; and (3) to assist regional school districts in offsetting unanticipated funding losses resulting from a member municipality's extraordinary increase or decrease in its minimum required local contribution; provided, however, that priority shall be granted to member municipalities of regional, and vocational regional school districts; provided further, that, notwithstanding any general or special law to the contrary, assistance funded by this item shall only be available on a one-time non-recurring basis; and provided further, that no funds distributed from this item to a municipality shall be considered base aid nor used in the calculation of the minimum required local contribution for fiscal year 1999..

15,000,000

Local Aid Fund..... 100.0%

7061-0012

For non-educational costs of residential school programs for students placed by a local school district or ordered by the bureau of special education on appeals, as provided under chapter 71B of the General Laws; provided, that subject to rules and regulations promulgated by the commissioner of education, each city and town shall verify to the commonwealth the cost thereof and upon approval of the commissioner the treasurer shall be authorized to make such payments directly to the service provider for services provided on or after July 1, 1997; provided further, that not more than \$5,000,000 may be used to continue and expand voluntary residential placement prevention programs between the department of education and other departments within the executive office of health and human services that develop community based support services for children and their families; and provided further, that the amount spent for a particular student shall not exceed the amount of tuition funds allocated for the student at the time of transition into such community-based support services; provided further, that funding provided herein may reimburse private schools for prior fiscal year's tuition; provided further, that the commonwealth shall not pay more than 50 per cent of the cost of any such residential placement; and provided further, that not more than \$162,500 shall be expended for the costs of borrowing audiotape textbooks by special needs students whose disabilities include, but are not limited to: blindness, visual impairments, learning disabilities palsy, or other disabilities that limit the use of standard print, and an outreach program geared toward special education teachers, students, and parents regarding the services of this program

47,714,142

Local Aid Fund..... 100.0%

7061-9000	For fiscal year 1998 reimbursements to certain cities, towns and regional school districts for a school choice transportation reimbursement program pursuant to subsection (i) of section 12B of chapter 76 of the General Laws.....	500,000
	Local Aid Fund..... 100.0%	
7061-9010	For fiscal year 1998 reimbursements to certain cities, towns, and regional school districts pursuant to section 19 of chapter 267 of the acts of 1995.....	1,238,431
	Local Aid Fund..... 100.0%	
7061-9100	For professional development; provided, that \$26,400,000 shall be transferred to item 7061-0008 for the purposes of professional development; provided further, that said \$26,400,000 shall not be subject to the provisions of subsection (b) of section 12 of chapter 70 of the General Laws; provided further, that preference shall be given to public institutions of higher education in the commonwealth in contracts awarded by the department of education for the professional development of teachers; and provided further, that not less than \$200,000 shall be expended for the writing project at the university of Massachusetts at Amherst and at Boston for the professional development of teachers.....	26,600,000
	Local Aid Fund..... 100.0%	
7061-9200	For the education technology program, so-called; provided, that the department of education shall file a spending plan for the amounts appropriated herein with the joint committee on education and the house and senate committees on ways and means by September 1, 1997; provided further, that \$60,000 shall be expended on the Pentucket regional schools for the purpose of creating technology matching partnerships; provided further, that \$150,000 shall be expended for the Hopkinton technology project; provided further, that \$150,000 shall be expended for the Athol-Royalston high school wood energy project; and provided further, that the department shall not disburse the funds made available herein for said project until Athol-Royalston high school demonstrates that it has collected \$300,000 from local sources	952,686
	Local Aid Fund..... 100.0%	
7061-9400	For student and school assessment; provided, that assessment shall center on the academic standards embodied in the curriculum frameworks and shall involve gauges which are relevant and meaningful to students, parents, teachers, administrators, and taxpayers pursuant to paragraph one of section 1L of chapter 69 of the General Laws; and provided further, however, notwithstanding the provision of any general or special law to the contrary, assessment of proficiency in English shall be administered in English	10,700,000
	Local Aid Fund	100.0%
7061-9600	For payments to state public institutions of higher education for the dual enrollment program, so-called	1,000,000
	Local Aid Fund	100.0%

7061-9604	For teacher preparation as approved in the board of education's five year master plan; provided, that not more than \$350,000 may be expended on the teacher certification system and development program; and provided further, that not more than \$888,000 may be expended on the administration certification program Local Aid Fund 100.0%	1,238,000
7061-9611	For after-school programs as approved in the board of education's five year master plan; provided, that \$250,000 shall be expended for a pilot program in the city of Fall River on preventing violence among youths; provided further, that not less than \$50,000 shall be expended for a pilot program to create a recreation and education advancement program to be administered by the management team created in chapter 133 of the acts of 1989; provided further, that \$250,000 shall be expended for a pilot program in the city of Lawrence to incorporate violence prevention education skills with reading, language, social studies, science, math, and the arts for kindergarten through grade eight; provided further, that said program shall also provide parent training and education in violence prevention; provided further, that not less than \$775,000 may be expended on the after school programs; provided further, that no funds from this item may be expended for the educational alternatives for chronically disruptive students program, provided further, that \$2,250,000 shall be expended for voluntary in-school and after school service programs administered by the Massachusetts National and Community Service Commission; and provided further, that \$200,000 shall be expended for a violence prevention task force and for grants for violence prevention initiatives Local Aid Fund 100.0%	3,775,000
7061-9612	For the school of excellence program at the Worcester Polytechnic Institute; provided, that every effort be made to recruit and serve equal numbers of male and female students; provided further, that sending school districts of students attending said academy shall not be required to expend any funds for the cost of said students while in attendance at said academy; provided further, that of the amount appropriated herein, \$378,000 shall be obligated for professional development activities at the school of excellence program at Worcester Polytechnic Institute, including salary and benefits for so-called master teachers and visiting scholars; and provided further, that the department of education is hereby authorized and directed to enter into an agreement with Worcester polytechnic institute to operate a school of excellence in mathematics and science Local Aid Fund 100.0%	819,231
7061-9615	For the Mass Ed On-Line program, so-called; provided, that the department of education shall file a spending plan for the amounts appropriated herein with the joint committee on education and the house and senate committees on ways and means by September 1, 1997; provided that not	

	less than \$150,000 shall be allocated as the commonwealth's share of the Federal Technology Reinvestment Project, NII-based Education Consortium, so-called	2,000,000
	Local Aid Fund 100.0%	
7061-9618	For the provision of day care vouchers for teen parents in order to allow said parents to attend high school pursuant to the provisions of subsection (i) of section 110 of chapter 5 of the acts of 1995; provided, that \$2,000,000 shall be transferred from this item to item 4130-3400	2,000,000
	Local Aid Fund 100.0%	
7061-9619	For the purpose of funding the Franklin Institute of Boston; provided, that the Franklin Institute of Boston shall be granted access to the Massachusetts education computer system; and provided further, that the Franklin Institute of Boston shall be permitted to join the state buying consortium	1
	Local Aid Fund 100.0%	
7061-9620	For grants to school districts for the costs associated with establishing advanced placement courses; provided, that priority shall be given to those districts not offering advanced placement courses in the 1996 to 1997 school year	500,000
	Local Aid Fund 100.0%	
7061-9621	For the administration of a grant program for gifted and talented school age children; provided, that the funds appropriated in this line item shall be in addition to any federal funds available for said program; provided further, that the department shall establish criteria for the purpose of identifying children enrolled in a public school in the commonwealth in grades kindergarten through 12 who excel, or have the potential to excel, beyond their age peers to the extent that said students can benefit from said program; and provided further, that said programs may be made available by any city, town or regional school district	437,970
	Local Aid Fund..... 100.0%	
7061-9625	For professional standards for teachers, administration preparation and development, including professional development and recertification of administrators, and the development and monitoring of professional development programs for teachers as approved in the board of education's five year master plan	1,025,000
7061-9626	For grants and contracts with youthbuild programs certified by Youthbuild USA for the purposes of providing comprehensive youthbuild services to economically disadvantaged young adults; provided, that not less than \$125,000 be used for said programs in the city of Boston; provided further, that not less than \$75,000 be used for said programs in the city of Cambridge	750,000
7061-9628	For the establishment and operation of a school-to-career demonstration program in the New Bedford public school system to further develop a systematic program existing at	

the elementary level to the junior and senior high school levels, prior appropriation continued.

7061-9632	For the Pioneer Valley Regional Education Business Alliance, so-called; provided, that a spending plan including revenues and expenditures from all funding sources shall be filed with the joint committee on education, arts, and humanities and with the house and senate committees on ways and means not later than September 1, 1997; and provided further, that \$5,000 shall be expended for the purchase of materials and for the department to conduct training for teachers and staff to identify and serve students with scotopic sensitivity Irlen syndrome	200,000
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Federal Appropriations

7010-0013	For the purposes of a federally funded grant entitled, Administration-Desegregation Plans for Massachusetts Public Schools	115,000
7010-2000	For the purposes of a federally funded grant entitled, Goals 2000 — Distribution	5,848,200
7010-2001	For the purposes of a federally funded grant entitled, Goals 2000 — Administration	600,000
7010-6610	For the purposes of a federally funded grant entitled, Initial Teacher Professional Development — Administration	146,600
7010-6611	For the purposes of a federally funded grant entitled, Initial Teacher Professional Development — Distribution	190,000
7010-8801	For the purposes of a federally funded grant entitled, Technology Literacy — Distribution	3,500,000
7010-8802	For the purposes of a federally funded grant entitled, Technology Literacy — Administrative	200,000
7010-9093	For the purposes of a federally funded grant entitled, Partnerships Advancing Learning of Math and Science — Administration	325,000
7010-9094	For the purposes of a federally funded grant entitled, Partnerships Advancing Learning of Math and Science — Distribution	1,240,000
7010-9103	For the purposes of a federally funded grant entitled, Math and Science Curriculum Frameworks for Massachusetts ...	471,500
7010-9135	For the purposes of a federally funded grant entitled, Comprehensive School Health Education School Health Restructuring — Distribution	40,000
7010-9706	For the purposes of a federally funded grant entitled, Common Core Data Project	13,100
7010-9732	For the purposes of a federally funded grant entitled, Chapter 11 Education Consolidation and Improvement Act — Administration	142,666
7027-9116	For the purposes of a federally funded grant entitled, Occupational Education — Distribution	17,000,000

7027-9122	For the purposes of a federally funded grant entitled, Consumer and Homemaking	40,000
7027-9123	For the purposes of a federally funded grant entitled, Technical Preparation	2,000,000
7027-9126	For the purposes of a federally funded grant entitled, Occupational Education — Administration	1,850,000
7028-0601	For the purposes of a federally funded grant entitled, Education of Handicapped — Administration	2,452,831
7028-9125	For the purposes of a federally funded grant entitled, Transition Services for Youth with Disabilities — Administration	523,133
7028-9500	For the purposes of a federally funded grant entitled, Special Education for Culturally and Linguistically Diverse Exceptional Students	188,700
7030-0191	For the purposes of a federally funded grant entitled, Coordination of Technical Assistance for Bilingual Education Programs by S.E.A.S.	95,895
7030-9780	For the purposes of a federally funded grant entitled, Dwight D. Eisenhower Math and Science Education Program — Administration	200,000
7030-9736	For the purposes of a federally funded grant entitled, Chapter Eleven Block Grant — Distribution	6,000,000
7030-9790	For the purposes of a federally funded grant entitled, Dwight D. Eisenhower Math and Science Education Program — Distribution	3,500,000
7032-0217	For the purposes of a federally funded grant entitled, Robert C. Byrd Honors Scholarship Program — Distribution	576,194
7032-0227	For the purposes of a federally funded grant entitled, Drug Free Schools — Administration	537,419
7032-0228	For the purposes of a federally funded grant entitled, Massachusetts AIDS Education Program	650,000
7032-0230	For the purposes of a federal grant entitled, Drug Free Schools — Distribution	6,219,000
7032-0402	For the purposes of a federally funded grant entitled, Local Education Agencies Education of Children of Low Income Families — Administration	980,000
7032-0403	For the purposes of a federally funded grant entitled, Chapter I — Administration	197,000
7032-9131	For the purposes of a federally funded grant entitled, Foreign Language Assistance — Administration	28,000
7033-9401	For the purposes of a federally funded grant entitled, Christa McCauliffe — Administration	400
7033-9402	For the purposes of a federally funded grant entitled, Christa McCauliffe — Distribution	40,000
7035-0013	For the purposes of a federally funded grant entitled, Education of the Handicapped — Distribution	3,692,129

7035-0116	For the purposes of a federally funded grant entitled, Chapter I, Education Consolidation and Improvement Act — Distribution	127,240,560
7035-0126	For the purposes of a federally funded grant entitled, Neglected and Delinquent Children	90,969
7035-0136	For the purposes of a federally funded grant entitled, Children in State Adult Correctional Institutions	130,000
7035-0146	For the purposes of a federally funded grant entitled, Migrant Education	3,003,000
7035-0151	For the purposes of a federally funded grant entitled, Homeless Children Youth Exemplary Grant	408,600
7035-0156	For the purposes of a federal grant entitled, Chapter I Capital Expenses for Private Schools	1,454,000
7035-0157	For the purposes of a federal grant entitled, Chapter I Program Improvement	188,000
7035-0158	For the purposes of a federally funded grant entitled, Massachusetts Educational Program for Homeless Children	73,695
7035-0166	For the purposes of a federally funded grant entitled, Even Start Family Literacy — Distribution	1,450,000
7035-0167	For the purposes of a federally funded grant entitled, Even Start Family Literacy — Administration	85,859
7035-0316	For the purposes of a federally funded grant entitled, Education of the Handicapped — Distribution	64,405,000
7035-0713	For the purposes of a federally funded grant entitled, Early Childhood Incentive — Administration	640,000
7035-0716	For the purposes of a federally funded grant entitled, Preschool Incentive — Distribution	7,535,000
7035-0718	For the purposes of a federally funded grant entitled, Preschool Incentive — Discretionary	1,191,406
7038-0002	For the purposes of a federally funded grant entitled, Adult Basic Education — Administration	774,563
7038-0110	For the purposes of a federally funded grant entitled, Adult Education for the Homeless — Administrative Overhead	500,000
7038-0106	For the purposes of a federally funded grant entitled, Adult Basic Education — Distribution	3,500,000
7038-0109	For the purposes of a federally funded grant entitled, Adult Education for the Homeless	14,400
7038-0150	For the purposes of a federally funded grant entitled, National Workplace Literacy Program — Administration	252,000
7038-0151	For the purposes of a federally funded grant entitled, National Workplace Literacy Program — Distribution	800,000
7038-0160	For the purposes of a federally funded grant entitled, Even Start Statewide Family Literacy	8,000

7038-9003	For the purposes of a federally funded grant entitled, CNCS School Based — Administration	15,000
7038-9004	For the purposes of a federally funded grant entitled, Massachusetts Plan for Community Service — Distribution	450,000
7038-9005	For the purposes of a federally funded grant entitled, Learn and Serve America — School Based Training	60,000
7038-9103	For the purposes of a federally funded grant entitled, CNCS Higher Education — Distribution	6,000
7038-9203	For the purposes of a federally funded grant entitled, CNCS American Conservation and Youth Service Corps — Administration	28,600
7038-9204	For the purposes of a federally funded grant entitled, CNCS American Conservation and Youth Service Corps — Distribution	6,050,000
7038-9205	For the purposes of a federally funded grant entitled, Americorps-Training	216,000
7038-9404	For the purposes of a federally funded grant entitled, Learn and Serve America Community Based Training — Administration	161,000
7038-9724	For the purposes of a federally funded grant entitled, Emergency Immigrant Education Assistance — Administration	20,000
7038-9746	For the purposes of a federally funded grant entitled, Emergency Immigrant Education Assistance — Distribution	1,000,860
7053-2105	For the purposes of a federally funded grant entitled, Special Food Distribution Cash	604,000
7053-2111	For the purposes of a federally funded grant entitled, Special Milk Program	586,000
7053-2112	For the purposes of a federally funded grant entitled, School Lunch, Section 11 - Special Assistance	56,494,000
7053-2113	For the purposes of a federally funded grant entitled, Community School Lunch Program	13,860,000
7053-2114	For the purposes of a federally funded grant entitled, School Breakfast Program	15,990,000
7053-2117	For the purposes of a federally funded grant entitled, Child Care Food Program	37,600,000
7053-2118	For the purposes of a federally funded grant entitled, School Food Service-Management and Related Activities	86,100
7053-2126	For the purposes of a federally funded grant entitled, Temporary Emergency Food Assistance	904,000
7053-2202	For the purposes of a federally funded grant entitled, Special Summer Food Service Program for Children	3,505,400

7062-0008	For the purposes of a federally funded grant entitled, Nutrition Program — Administration	2,348,670
7062-0016	For the purposes of a federally funded grant entitled, Charter Schools — Administrative	
7062-0017	For the purposes of a federally funded grant entitled, Charter Schools — Distribution	1,000,000
7062-0018	For the purposes of a federally funded grant, entitled, Cooperative Demonstration (School to Work)	4,000,000

Board of Higher Education.

State Appropriations

7066-0000	For the operation of the board of higher education established by chapter 15A of the General Laws; provided, that not less than \$250,000 shall be expended for campus technical assistance grants, so-called.....	2,513,328
7066-0005	For the commonwealth's share for the cost of the compact for education	66,400
7066-0009	For the New England board of higher education	631,440
7066-0100	For a reserve to be distributed according to guidelines established by the board of higher education for campus initiatives or projects to improve academic programs and student performance, campus accountability, efficiency in management, and cost-effective use of resources; provided, that the board shall report quarterly to the house and senate committees on ways and means and the joint committee on education, arts and humanities, which institutions applied for said grants, which institutions received said expenditures or grants, and the intended projects and project outcomes; and provided further, that notwithstanding the provisions of any general or special law to the contrary, the board may allocate funds from this item to other items of appropriation; and provided further, that the board shall submit an allocation plan to the house and senate committees on ways and means ten days prior to any allocation of funds from this item	5,000,000
7070-0031	For the McNair component of the financial assistance program to increase access to public and independent institutions of higher education for students who meet certain income eligibility standards developed by the chancellor of higher education and for students with serious physical impairments, known as the Ronald E. McNair education opportunity program	4,040,278
7070-0065	For a scholarship program, to provide financial assistance to Massachusetts students enrolled in and pursuing a program of higher education in any approved public or independent college, university, school of nursing, or any other approved institution furnishing a program of higher education; provided, that the Massachusetts state scholarship office is hereby authorized to expend not less than \$12,600,000 for a program of needs-based financial assistance for Massachusetts residents enrolled in and pursuing a program of higher education in any of the public institu-	

tions of higher education of the commonwealth; provided further, that of the sum appropriated herein, not less than \$1,000,000 shall be obligated for the purposes of the Massachusetts plan, pursuant to section 5C of chapter 15C of the General Laws; provided further, that the Massachusetts state scholarship office is authorized and directed to expend no less than \$12,000,000 to provide for the matching scholarship grants to needy Massachusetts students at participating Massachusetts independent regionally accredited colleges, universities, and schools of nursing; provided further, that such assistance be distributed to students demonstrating the greatest need as determined by an eligibility index used by the state scholarship office; provided further, that students awarded full or partial scholarships under the Christian A. Herter memorial scholarship program, as established in section 16 of chapter 15A of the General Laws, who have matriculated in a program of higher education outside the commonwealth may continue to receive the scholarship aid guaranteed by said program; provided further, that the state scholarship office is authorized to expend monies for the public service awards, as established in said section 16 of said chapter 15A; provided further, that the chancellor of higher education, in coordination with the Massachusetts state scholarship office shall establish such regulations governing the eligibility and the awarding of financial assistance as he shall deem necessary; and provided further, that not more than \$1,632,784 shall be expended on the administration of the scholarship program

73,743,250

7077-0010

For the purchase of scientific, technological and other educational reference materials for the libraries of the system of public higher education institutions

11,000,000

7077-0023

For a contract with the Tufts school of veterinary medicine; provided, that funds appropriated herein shall be expended for supportive veterinary services provided to the commonwealth; and provided further, that prior year costs may be paid from this item

4,525,000

7100-0200

For the operation of the university of Massachusetts; provided, that, notwithstanding any provision of general or special law to the contrary, the board of trustees shall develop an allocation plan for the amount appropriated herein and shall notify the house and senate committees on ways and means of said plan within 45 days of the passage of this act; provided, that the board of trustees in conjunction with the state health education center at the university of Massachusetts medical center shall maintain learning contracts for students admitted on or after the fall of 1978 which shall include provisions for "payback" service or monetary payback to the commonwealth for a period after said students have fulfilled all internship and residency requirements; provided further, that not less than \$795,619 be expended for the purposes of the area health education centers program, also known as "AHEC"; provided further, that not less than \$136,816 be expended for the purpose of the state health education

center at the medical center; provided, further, that not less than \$275,000 shall be expended for the analysis of any narcotic drug or synthetic substitute, poison, drug, medicine or chemical at the university of Massachusetts medical school in order to support the law enforcement efforts activities of the district attorney and the police departments of the cities and towns of the middle district; provided further, that not less than \$250,000 be expended for the purpose of the Paul E. Tsongas industrial historical center at the university of Massachusetts at Lowell; provided further, that of the sum appropriated herein, not less than \$150,000 be expended for a college preparation program at the university of Massachusetts at Lowell; provided further, that not less than \$69,566 be expended for the center for rural Massachusetts at Amherst; provided further, that not less than \$621,000 be expended for the Massachusetts institute for social and economic research at Amherst to manage the United States census data and provide population estimates and projections and for the evaluation of the commonwealth's eligibility for federal grant programs and for the application for, and acquisition of, any grants made under such programs, and for the marketing and sale of publications and services, to public and private entities, provided by said institute; provided further, that \$499,019 be expended for the purposes of the William Joiner center; provided further, that not less than \$262,287 be expended for the purposes of the Mauricio Gaston institute of Latino community development and public policy; provided further, that not less than \$299,284 be expended for the purposes of research and analytical studies at the Monroe Trotter institute; provided further, that not less than \$200,000 be expended for the purposes of the institute for Asian-American studies; provided further, that not less than \$75,000 shall be expended on an artificial reef program; including, but not limited to, the creation of a model program to enhance and rehabilitate marine habitats at the university of Massachusetts at Dartmouth; provided further, the university of Massachusetts at Dartmouth shall enter into a cooperative agreement with the division of fisheries and wildlife within the department of fisheries, wildlife and law enforcement for said division to administer said program; provided further, that not less than \$628,844 be expended for the expense of a gerontology institute; provided further, that of the amount appropriated herein, not less than \$156,663 be expended for the endowment of a chair named in honor of the late Frank Manning; provided further, that not less than \$637,010 be expended for the physical education department at the university of Massachusetts at Boston; provided further, that of the sum appropriated herein, provided further, that the sum expended for University of Mass Extension in fiscal year 1998 shall not be reduced except in proportion to adjustments consistent with university budget adjustments and policies affecting comparable academic outreach programs of the University of Massachusetts at Amherst; pro-

vided, that such funds shall be expended in accordance with a plan adopted by the University of Mass Extension Board of Public Overseers established pursuant to this Act; provided further, that not less than \$35,000 be expended for the continuing education program in Attleborough operated by the university of Massachusetts at Dartmouth; provided further, that not less than \$443,200 be expended for the cranberry experiment station; provided further, that a board of oversight shall be responsible for the purposes of said station; provided further, that not less than \$300,000 be expended for the John W. McCormack Institute; provided further, that not less than \$179,635 be expended for the Center for Women in Politics and Public Policy at the John W. McCormack Institute of Public Affairs; provided further, that \$200,000 shall be obligated for the university of Massachusetts economic project, so-called; provided further, that not less than \$1,500,000 be expended for the emerging technology centers, pursuant to sections 38 through 42, inclusive, of chapter 75 of the General Laws; provided further, that not less than \$380,000 be obligated for the start-up costs associated with the center of marine environmental science electronic technology and fisheries at the university of Massachusetts at Dartmouth, including a study and model program for artificial reef construction and fisheries development; provided further, that \$50,000 shall be obligated for rural development councils; provided further, that \$110,000 shall be expended for the development of a court interpreter's study program at the university in conjunction with the university's partnership with the trial courts; provided further, that \$350,000 shall be expended for a satellite medical examiners office; provided further, that \$200,000 shall be expended for the center for Portuguese studies at the university of Massachusetts at Dartmouth; provided further that \$100,000 shall be expended for an outreach program at Martha's Vineyard by the university of Massachusetts at Dartmouth in conjunction with Nathan Mayhew Seminars for the purposes of establishing a long distance learning center; provided further, that not more than \$60,000 be expended for a study to be conducted by the gerontology institute at the university of Massachusetts at Boston of the commonwealth's pension system and the impact of not being part of the social security system for state employees; provided further, that said study shall include, but not be limited to, eligibility, benefits and cost of each system, the impact of the windfall elimination and government pension offset provisions, comparative impact on different career patterns and salary levels, and legal issue involved in implementing any recommendations; provided further, that said institute shall file the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect by filing the same with the clerk of the house of representatives and the joint committee on public service on or before October 31, 1997, and provided further, that

	the board of trustees may require said institutions to provide communication accessibility for the deaf and hard of hearing where necessary	403,391,592
7109-0100	For Bridgewater state college	27,185,452
7109-1202	For the operation of the John Joseph Moakley Center for Technological Applications at Bridgewater state college; provided, that said initiative shall be conducted on the site of said college for the purposes of technological applications to classroom teaching, initiatives in distance learning and economic development in conjunction with business and industry in southeastern Massachusetts	613,000
7110-0100	For Fitchburg state college	21,931,459
7112-0100	For Framingham state college; provided, that not less than \$400,000 shall be expended for the Christa McAuliffe center; provided further, that not less than \$250,000 shall be expended for the operation of the commonwealth's global education centers; and provided further, that not less than \$100,000 shall be expended for the regional economic research center	18,210,044
7113-0100	For North Adams state college; provided that not less than \$12,500 shall be expended for the operation of a blue ribbon task force on community education with the assistance of the state college council of presidents, so-called	11,501,809
7114-0100	For Salem state college; provided, that a sum of not less than \$30,000 shall be expended for the development of an aquaculture program by Salem state college pursuant to section 274 of chapter 38 of the acts of 1995	28,627,337
7114-0101	For a reserve for the operation and maintenance associated with the acquisition of the GTE/Sylvania property located in the city of Salem; provided, that an amount not to exceed \$100,000 may be expended for costs associated with said acquisition, including, but not limited to, legal fees, appraisals, environmental studies, and short term consultant services, as needed	600,000
7115-0100	For Westfield state college	17,911,740
7116-0100	For Worcester state college; provided, that funds may be expended for the creation of an allied health center at Worcester state college.....	18,038,023
7117-0100	For the Massachusetts college of art; provided, that funds may be expended for the purpose of compliance with the Americans with Disabilities Act	11,306,034
7118-0100	For the Massachusetts maritime academy	9,460,294
7119-0100	For a health and welfare reserve for eligible personnel employed at the state colleges	1,307,052
7220-0004	For the operation of the toxics use reduction institute program at the university of Massachusetts at Lowell, in accordance with the provisions of chapter 211 of the General Laws; provided, that not less than \$200,000 shall be oblig-	

	ated for programs that train business, industry, higher education, medical laboratory and high school laboratory personnel to reduce toxic waste at the source utilizing the Microscale chemistry technology	1,762,965
	Toxics Use Reduction Fund..... 100.0%	
7502-0100	For Berkshire community college	7,736,189
7503-0100	For Bristol community college; provided that \$60,000 shall be expended for the purpose of tracking, monitoring, evaluating, and reporting on individuals who are enrolled at Bristol community college while receiving public assistance; and provided further, that such tracking, monitoring, evaluating and reporting shall include administrative and computer assistance in order to enable communication with the department of transitional assistance regarding these individuals	11,576,778
7504-0100	For Cape Cod community college	8,937,523
7504-0101	For the operation of an environmental technology education and job training partnership through the Cape Cod community college; provided that the Cape Cod community college shall coordinate through a partnership with Massachusetts Maritime Academy and University of Massachusetts at Dartmouth; provided further, that this initiative shall be conducted at the Massachusetts military reservation, or at any other site on Cape Cod to be determined by the Cape Cod community college for the purposes of on-site education and training in the use of alternative technologies to clean up designated superfund sites; and provided further, that preference shall be given to local applicants; provided further, that the executive office of environmental affairs and the University of Massachusetts at Dartmouth are hereby authorized and directed to participate in the testing and evaluation of innovative technologies	124,438
	Toxics Use Reduction Fund..... 100.0%	
7505-0100	For Greenfield community college; provided, that not less than \$195,000 shall be obligated for the heritage bank building acquired by the Greenfield community college foundation	7,228,883
7506-0100	For Holyoke community college	13,229,167
7507-0100	For Massachusetts Bay community college	11,291,861
7508-0100	For Massasoit community college; provided, that not less than \$274,700 shall be expended for the operation of Christo's II Culinary Arts Center	16,017,222
7509-0100	For Mount Wachusett community college; provided, that \$100,000 shall be expended for the operation of the Vietnam Memorial Community Fitness and Wellness Center at Mount Wachusett community college; and provided further, that \$200,000 shall be expended for the Wetmore center at Mount Wachusett community college .	8,916,449
7510-0100	For Northern Essex community college	14,896,030

7511-0100	For North Shore community college; provided, that, notwithstanding the provisions of any general or special law to the contrary, North Shore community college, with the approval of the board of higher education, is hereby authorized to borrow an amount not to exceed \$12,000,000 through the Massachusetts health and educational facilities authority, or any authorized funding source, in addition to the amounts authorized herein	15,389,905
7511-0101	For North Shore community college; provided, that said college may expend an amount not to exceed \$300,000 for site preparation indemnifying the commonwealth from liability by including the removal of hazardous material, grading, and landscaping, of the 4.5 acres of land at North Shore community college, Lynn campus	300,000
7512-0100	For Quinsigamond community college	10,704,468
7514-0100	For Springfield technical community college	18,280,616
7514-0101	For a reserve for the operation and maintenance expenses incurred by Springfield technical community college associated with the acquisition of the Digital property, so-called; provided, that said college may expend revenues in an amount not to exceed \$575,000 received from rent, utility and other charges for the operation and maintenance of said property	606,920
7514-0102	For the Massachusetts center for telecommunications and information technology through the Springfield technical community college assistance corporation, as established by chapter 273 of the the acts of 1994; provided, that the amount appropriated herein shall include, but not be limited to, operating and maintaining cable television programming, distance learning curricula, telecommunications-intensive company facilities and a small business incubator, prior appropriation continued.	
7514-0103	For an emergency reserve for unanticipated operating and maintenance expenses of Springfield technical community college in the acquisition of the Digital property, so-called; provided, that funds may only be expended from this item due to operating deficiencies resulting from cashflow shortfalls which may include rent arrearages or circumstances beyond the immediate control of said college; provided further, that no funds shall be expended from this item before April 1, 1998; provided further, that said college may not expend funds from this item until all amounts available in item 7514-0101 have been completely expended; and provided further, the comptroller shall not authorize expenditures from this item until an officer of said college submits written certification to the secretary of administration and finance stating the basis for said operating deficiency and assurances of compliance with the provisions of this item	235,336
7515-0100	For Roxbury community college	9,010,575
7515-0120	For the operation of the Reggie Lewis track and athletic center at Roxbury community college	1,012,701

7515-0121	The Reggie Lewis track and athletic center at Roxbury community college may expend an amount not to exceed \$247,100 received from fees, rentals, and facility expenses associated with the running and operation of major high school track meets, high school dual meets, major national track meets, conferences, other special athletic events, meetings, Roxbury community college athletic events and programs; provided, that only expenses for contracted services associated with the aforementioned events shall be funded from this item	247,100
	Reggie Lewis Track and Athletic Center Fund 100.0%	
7516-0100	For Middlesex community college	14,997,501
7518-0100	For Bunker Hill community college; provided, that \$102,000 shall be obligated for the life focus center	14,465,167
7520-0423	For a health and welfare reserve for eligible personnel employed at the community colleges	1,388,317
Federal Appropriations		
7027-9123	For the purposes of a federally funded grant entitled, Technical Preparation-Board of Higher Education	2,135,200
7035-0316	For the purposes of a federally funded grant entitled, Education of Handicapped Distribution-Bristol Community College	56,300,000
7038-0151	For the purposes of a federally funded grant entitled, National Workplace Literacy Program Distribution-Bristol Community College	804,000
7038-0195	For the purposes of a federally funded grant entitled, State Literary Resource Centers-Bristol Community College	111,900
7038-0197	For the purposes of a federally funded grant entitled, Interagency Staff Development-Bristol Community College	195,000
7066-6092	For the purposes of a federally funded grant entitled, the Dwight D. Eisenhower Mathematics and Science and Education Act	885,538
7110-6019	For the purposes of a federally funded grant entitled, Upward Bound Payroll and Benefits-Fitchburg State College	84,000
7110-6021	For the purposes of a federally funded grant entitled, Project Enable Payroll and Benefits-Fitchburg State College	73,000
7113-9740	For the purposes of a federally funded grant entitled, Substance Abuse Prevention Project-North Adams State College	200,000
7114-9714	For the purposes of a federally funded grant entitled, Special Programs for Disadvantaged Students-Salem State College	279,076
7114-9746	For the purposes of a federally funded grant entitled, U.S. Department of Education Upward Bound Program-Salem State College	10,079,500

7503-9711	For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students-Bristol Community College	292,659
7503-9714	For the purposes of a federally funded grant entitled, Upward Bound Program-Bristol Community College	259,504
7505-0560	For the purposes of a federally funded grant entitled, Title III — Strengthening Institutions-Greenfield Community College	6,240
7505-0590	For the purposes of a federally funded grant entitled, Cops Universal Hiring-Greenfield Community College	37,168
7509-9714	For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students-Mount Wachusett Community College	245,180
7509-9718	For the purposes of a federally funded grant entitled, Talent Search - Mount Wachusett Community College	208,457
7510-9731	For the purposes of a federally funded grant entitled, Special Services-Northern Essex Community College	225,000
7510-9734	For the purposes of a federally funded grant entitled, Federal Cooperative Education Grant-Northern Essex Community College	225,000
7511-9711	For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students-North Shore Community College	328,280
7511-9713	For the purposes of a federally funded grant entitled, IAP — Strengthening Institutions Program-North Shore Community College	288,764
7511-9740	For the purposes of a federally funded grant entitled, Upward Bound-North Shore Community College	295,895
7514-9720	For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students Project-Springfield Technical Community College	186,108
7518-9746	For the purposes of a federally funded grant entitled, Student Support Services-Bunker Hill Community College	179,301

EXECUTIVE OFFICE OF PUBLIC SAFETY.

Office of the Secretary.

8000-0000	For the office of the secretary	555,747
	Highway Fund	85.0%
	General Fund	15.0%
8000-0010	For community policing grants to be administered by the executive office of public safety to be awarded to those cities which have experienced extraordinary health and safety problems as a result of having increased gang activity and street violence; provided, that no funds shall be awarded to the department of state police; provided further, that not more than \$75,000 shall be provided for the safe city program, so-called, in the city of Lynn; provided further, that grants shall be awarded by the executive office of public safety to the municipalities of	

	Abington, Agawam, Athol, Attleborough, Billerica, Boston, Braintree, Brockton, Cambridge, Chelsea, Chicopee, Dedham, Fall River, Fitchburg, Framingham, Haverhill, Holyoke, Lawrence, Lowell, Lynn, Malden, Medford, Methuen, Montague, Needham, New Bedford, Newton, North Attleborough, Northfield, Orange, Pittsfield, Plainville, Quincy, Revere, Rockland, Somerville, Springfield, Turners Falls, Waltham and Worcester in an amount not less than the amount of the grant or grants received in fiscal year 1997, but in no circumstance should any listed communities receive less than \$40,000; provided further, that all grants are made pursuant to the review and approval of grant proposals submitted by said municipalities to the executive office of public safety; provided further, that monies awarded by said executive office of public safety may include grants made for community policing in state-aided public housing developments; provided further, that \$40,000 shall be provided for the community safety activities of the North Cambridge Crime Task Force; provided further, that \$250,000 shall be made available for community policing in the Bowdoin Street-Geneva Avenue and Uphams Corner sections so-called, of Dorchester in the city of Boston; and provided further, that not later than September 15, 1997, the executive office of public safety shall submit a report detailing the amount of grants awarded to said grant recipients and descriptions of said grants to the house and senate committees on ways and means; provided further, that not less than \$20,000 shall be expended for an internship program for the purpose of staffing Lowell police department substations; and provided further, that not less than \$5,000 be expended for equipment for the Lowell police Pawtucketville substation	18,700,000
	Local Aid Fund	100.0%
8000-0020	For the statewide emergency telecommunications board; provided, that the board shall collect an amount equivalent to the direct and indirect costs related to the board pursuant to section 18F of chapter 6A of the General Laws, as inserted by chapter 291 of the acts of 1990	331,127
	Local Aid Fund	100.0%
8000-0040	For police career incentives to reimburse certain cities and towns for career incentive salary increases for police officers; provided, that the amount appropriated herein shall be deemed to fully fund the commonwealth's commitment to this item in fiscal year 1998	15,597,055
	Local Aid Fund.....	100.0%
8000-0101	The office of the secretary is hereby authorized to expend up to a maximum of \$10,000 in revenues collected from fees for services performed through the auto etching program ..	10,000
	<i>Office of Chief Medical Examiner.</i>	
8000-0105	For the chief medical examiner pursuant to chapter 38, as amended by section 2 of chapter 368 of the acts of 1992 ...	3,393,836
	Local Aid Fund.....	50.0%
	General Fund	50.0%

Criminal History Systems Board.

8000-0110	For the criminal history systems board; provided, that said board is hereby directed to collect \$500,000 in revenue from record check fees for the purpose of implementing the provisions of chapter 319 of the acts of 1990; provided further, that \$75,000 shall be expended for the purpose of enabling local housing authorities access to criminal offense information when qualifying applicants for state-assisted housing	4,881,619
	Highway Fund 50.0%	
	Local Aid Fund..... 50.0%	

8000-0125	For the purpose of implementing a sex offender registry program, including, but not limited to, the costs of establishing a computerized registry system and the classification of persons subject to said registry; provided, that said board shall complete the classification of persons not later than June 30, 1998 pursuant to chapter 239 of the acts of 1996.....	554,621
	Highway Fund 50.0%	
	Local Aid Fund..... 50.0%	

Board of Building Regulations and Standards.

8000-0160	For the operation of the state board of building regulations and standards for the purpose of implementing and enforcing the provisions of sections 93 through 100, inclusive, of chapter 143 of the General Laws	378,825
8000-0161	For the registration and licensing of home improvement contractors pursuant to chapter 142A of the General Laws	107,704
8000-0167	The board of building regulations and standards is hereby authorized to collect and expend an amount not to exceed \$40,000 for the purposes of providing state building code training and courses for instruction; provided, that said board may charge fees for the classes and education materials associated with administering training; provided further, that no costs in the AA subsidiary, so-called, shall be charged to this item; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payments amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system	40,000

Architectural Access Board.

8000-0500	For the architectural access board	200,844
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Department of State Police.

State Appropriations

8100-0000	For the administration and operation of the department of state police; provided, that the department shall maintain the division of field services which shall include, but not be limited to, the bureau of metropolitan district operations; provided further, that not less than 40 officers shall be provided to the metropolitan district commission division of watershed management for the purpose of	
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patrolling the watershed property of the commission; provided further, that the department shall enter into an inter-agency agreement with the metropolitan district commission to provide police coverage on commission properties and parkways; provided further, that \$365,000 shall be expended on a pilot program for the Medford State Police Barracks entitled Zero Tolerance and Fire Risk Prevention, which will increase patrols and public safety by using bicycles and other policing means within the Middlesex Fells and Mystic River Reservation district; provided further, that \$32,240 shall be expended for the costs associated with providing state police patrols three nights per week in the city of Brockton in the following area: south between Montello street and Warren avenue and north to Battle's street between Montello street and Warren avenue, or at such other location as deemed necessary; provided, that of the total amount appropriated herein, \$30,000 shall be expended for the cost associated with providing state police services at Breakheart Reservation; provided, that such patrols shall be assigned between the hours of eight post meridian and four ante meridian; provided further, that such patrols shall be assigned beginning July 1, 1997 for a period of 18 weeks; provided further, that \$75,000 shall be expended for the costs of state police patrols along the Charles river esplanade and the Charlesgate area of the city of Boston; provided further, that \$131,520 shall be expended for the costs of state police patrols at Lynn Beach, Kings Beach, and Nahant Beach; provided further, that \$25,000 shall be expended for the costs associated with patrols of the Wollaston beach — Quincy Shore Drive section of the city of Quincy; provided further, that \$250,000 shall be expended for the purpose of increased patrols during the months of April through October at Winthrop Beach and Winthrop Shore drive in the town of Winthrop, Revere Beach in the city of Revere, Constitution Beach and Belle Isle Marsh in the East Boston section of the city of Boston; provided further, that not less than \$75,000 shall be expended to provide patrols along the southwest corridor, so-called; provided further, that \$70,000 shall be expended on an apparatus to be operated by Troop C; and provided further, that the creation of a new or the expansion of the existing statewide communications network shall include the division of environmental law enforcement of the department of fisheries, wildlife, and environmental law enforcement at no cost to, or compensation from, said division; provided further, that no less than \$15,000 shall be placed in a reserve fund to reimburse the city of Springfield arson and bomb squad for services performed at the request of the department of state police; and provided further, that the department shall train as many uniformed members of the state police as necessary to attain and maintain a complement of not less than six explosives technicians

111,693,628

Highway Fund	88.2%
Local Aid Fund.....	9.5%
General Fund	2.3%

8100-0006	For private police details; provided, that the department is hereby authorized to expend up to \$12,150,000 in revenues collected from fees charged for private police details, and the costs of administering said details; and provided, further, that notwithstanding any general or special law to the contrary, the department of state police is hereby authorized to incur, and the comptroller may certify for payment, expenses and liabilities during fiscal year 1998 to be charged to this item in an amount not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system for the purposes stated herein to accommodate the delayed receipt of revenues authorized to be retained in this item during fiscal year 1998.....	12,150,000
8100-0007	For overtime of state police officers; provided, that not less than \$290,533 shall be expended at the direction of the district attorney for the Suffolk district; provided further, that not less than \$407,123 shall be expended at the direction of the district attorney for the Northern district; provided further, that not less than \$387,660 shall be expended at the direction of the district attorney for the eastern district; provided further, that not less than \$312,454 shall be expended at the direction of the district attorney for the middle district; provided further, that not less than \$244,115 shall be expended at the direction of the district attorney for the western district; provided further, that not less than \$142,171 shall be expended at the direction of the district attorney for the northwestern district; provided further, that not less than \$354,080 shall be expended at the direction of the district attorney for the Norfolk district; provided further, that not less than \$269,240 shall be expended at the direction of the district attorney for the Plymouth district; provided further, that not less than \$174,998 shall be expended at the direction of the district attorney for the Bristol district; provided further, that not less than \$208,611 shall be expended at the direction of the district attorney for the Cape and Islands district; provided further, that not less than \$78,448 shall be expended at the direction of the district attorney for the Berkshire district; provided further, that not less than \$493,294 shall be expended at the direction of the office of the attorney general; provided further, that the balance of this appropriation may be expended for the overtime costs incurred by the department of state police; provided further, that the department shall ensure that the several district attorneys and the office of the attorney general receive sufficient funds from this item to meet all overtime demands; and provided further, that the state police shall provide monthly reports to each district attorney's office delineating the amount of overtime hours used, the cost of said overtime, the amount of overtime dollars spent to date and the amount of available overtime dollars for said district attorney's office	11,871,898
	Highway Fund	88.2%
	Local Aid Fund.....	9.5%
	General Fund	2.3%

8100-0008	For the costs associated with providing state police patrols for properties of the metropolitan district commission located along Day Boulevard in the South Boston section of the city of Boston; provided, that said patrols shall be assigned between the hours of eight post meridian and four ante meridian; and provided further, that such patrols shall be assigned nightly until November 1, 1997	46,666
8100-0009	For the career incentive salary increases for the state police officers known as the Quinn bill, so-called Highway Fund 100.0%	14,540,903
8100-0011	The department of state police is hereby authorized to expend an amount not to exceed \$1,150,000 for certain police activities provided pursuant to agreements authorized in this item; provided, that for fiscal year 1998, the colonel of the state police is hereby authorized to enter into agreements with the commanding officer or other person in charge of a military reservation of the United States located in the commonwealth or the Land Bank, established in chapter 212 of the acts of 1975 to provide certain services; provided further, that said agreements shall fix the responsibilities pertaining to the operation and maintenance of said police services, including but not limited to: (1) provisions governing payment to the department for the cost of regular salaries, overtime, retirement, and other employee benefits; and (2) provisions governing payment to the department for the cost of furnishings and equipment necessary to provide such police services; provided further, that the department is authorized to charge any of the recipients of police services for the services, as authorized by this item; provided further, that the department is authorized to retain the revenue so received and expend such revenue as necessary pursuant to this item to provide the agreed level of services; and provided further, that notwithstanding the provisions of any general or special law to the contrary, for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payments amounts not to exceed the lower of this authorization or the most recent revenue estimate Highway Fund 100.0%	1,150,000
8100-0100	For the administration and operation of the crime laboratory; provided, that the secretary of public safety is directed to maintain the satellite western Massachusetts crime laboratory located at the Agawam criminal justice training council; and provided further, that the secretary of public safety is directed to provide a criminalist who will be situated at said crime laboratory located in Agawam Highway Fund 88.2% Local Aid Fund..... 9.5% General Fund 2.3%	1,878,812
8100-0150	For the administration and operation of an automated fingerprint identification system Highway Fund88.2% Local Aid Fund..... 9.5% General Fund 2.3%	437,688

8100-0200	For the administration and operation of a motor carrier safety assistance program	450,110
	Highway Fund 100.0%	
8100-0201	The department of state police is hereby authorized and directed to expend up to \$1,050,000 from reimbursements received from the motor carrier safety assistance program for the costs of said program, including personnel	1,050,000
8100-0300	For the administration and operation of a drug enforcement administration task force	73,720
	Highway Fund 85.0%	
	General Fund 15.0%	
8100-9999	For the payment of charges assessed to the department of state police for the payment of workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback, so-called; provided that, notwithstanding the provisions of any general or special law to the contrary, prior to April 15, 1998 all funds appropriated herein shall be scheduled in the DD subsidiary, so-called; provided further, that after said date, the commissioner of the department of state police, with the approval of the secretary of administration and finance, is hereby authorized to transfer from said DD subsidiary to the KK subsidiary, so-called; or the NN subsidiary, so-called; of this account, an amount not to exceed 15 per cent of the funds appropriated herein, if the secretary of administration and finance certifies in writing to the house and senate committees on ways and means that the following conditions have been met: (1) that the charges owed by the department for workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback are less than the amount appropriated herein; (2) that the department does not require any supplemental appropriation in any of its other items of appropriation; (3) that the department is expected to meet the revenue targets established in sections 1A and B of this act; and (4) that the department has not expended any funds for the payment of workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback, so-called, in any of its other items of appropriation; provided further, that the secretary of administration and finance shall notify the house and senate committees on ways and means of all transfers of funds between subsidiaries as authorized herein; and provided further, that no funds shall be scheduled to any subsidiary in this account which is not explicitly referenced herein	1,941,353
	Highway Fund 88.2%	
	Local Aid Fund..... 9.5%	
	General Fund 2.3%	

Federal Appropriations

8100-0058	For the purposes of a federally funded grant entitled, Cops Ahead Community Policing	1,836,129
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8100-0059	For the purposes of a federally funded grant entitled, Cops More.....	225,000
8100-2058	For the purposes of a federally funded grant entitled, N.E.S.P.A.C. — Regional Investigation.....	1,520,249
8100-9706	For the purposes of a federally funded grant entitled, Cannabis Eradicate/Controlled Substance Prosecution DEA Agreement 21.....	57,000
8100-9707	For the purposes of a federally funded grant entitled, Drug Fire Program	196,076
<i>Criminal Justice Training Council.</i>		
8200-0200	For the operation of programs conducted by the Massachusetts criminal justice training council; provided, that the criminal justice training council shall train only as many recruits as the appropriation herein allows, while still providing in-service training	3,085,867
	Local Aid Fund..... 100.0%	

Department of Public Safety.

State Appropriations

8311-1000	For the administration of the department and the implementation of chapter 485 of the acts of 1991; provided, that no funds shall be expended from this item for the salaries of the commissioner or deputy commissioner of the department of public safety.....	638,212
8312-1000	For the operation of the bureau of special investigations; provided, that investigative positions for the front-end detection program shall not be subject to the provisions of chapter 31 of the General Laws; provided further, that no funds shall be expended from this item for the salaries of the commissioner or deputy commissioner of the department of public safety.....	6,813,615
8315-1000	For the administrative costs of the division of inspections; provided, that no funds shall be expended from this item for the salaries of the commissioner or deputy commissioner of the department of public safety; provided further, that the expenses of the state boxing commission shall be paid from this item; provided further, that not less than \$30,000 shall be made available for an eye examination program for all boxers participating in events regulated by the state boxing commission; provided further, that the commission shall charge professional boxers for the cost of said eye exams; provided further, that a doctor's certificate from another state will be accepted as evidence of such an examination; provided further, that fees for inspections performed during overtime hours be determined by the commissioner of administration; provided further, that the fee for inspections performed during overtime hours be not less than \$100; provided further, that the division shall inspect all elevators in the State House, McCormack and Saltonstall office buildings; and provided further, that not later than September 1, 1997, the secretary of administration and finance is hereby authorized and	

directed to file with the house and senate committees on ways and means a report detailing the level of resources necessary to carry out the provisions of chapters 143 and 146 of the General Laws

989,611

8315-1002 For the salaries of department of public safety inspectors, including building inspectors, district engineering inspectors, and elevator inspectors; provided, that no funds shall be expended from this item for the salaries of the commissioner or deputy commissioner of the department of public safety; provided further, that the department shall hire an additional engineer inspector; provided further, that said inspector's duties shall include, but not be limited to administering pipefitter license examinations; provided further, that said additional engineer inspector shall be a regular state employee compensated from the AA subsidiary, so-called, of this item; provided further, that said additional engineer inspector position shall be in addition to any such positions added during fiscal year 1995; and provided further, that this item shall fund 59½ full time equivalent state employees

2,618,675

8315-1003 For the salaries of the commissioner and deputy commissioner of public safety, provided, that no funds shall be expended from this item until all inspector positions referenced in item 8315-1002 are filled or posted to be filled

139,870

Department of Fire Services.

8324-1000 For the fire prevention program; provided, that \$100,000 shall be expended for a Suffolk county based arson prevention program; provided further, that of the amount appropriated herein \$862,263 shall be assessed against insurance companies licensed to sell fire insurance in the commonwealth by the commissioner of insurance, and transferred to the General Fund, and such assessments shall be charged to the normal operating costs of each company; provided further, that not more than ten per cent of the amount designated for said arson prevention program shall be expended for the administrative cost of the program; provided further, that the expenses of the board of fire prevention regulations, pursuant to section 14 of chapter 22 of the General Laws, shall be paid from this item; and provided further, that the expenses of the fire safety commission shall be paid from this item

1,393,755

8324-1500 For the fire training program including the Massachusetts fire training council, certification program, municipal and non-municipal fire training, and the expenses of the council; provided, that notwithstanding the provisions of any general or special law to the contrary, the estimated expenses of the administration of the academy, including the estimated expenses of training facilities and curriculum for firefighting personnel and training programs, shall not exceed \$2,878,355 per fiscal year; provided further, that not less than \$48,992 shall be available for the community-based fire prevention program in the Fall River area; provided further, that the funds necessary to

support this item shall be paid to the commonwealth by insurance companies writing fire, homeowners multiple peril or commercial multiple peril policies on property situated in the commonwealth within 30 days after notice from the commissioner of estimated expenses; and provided further, that the secretary for administration and finance shall report monthly to the house and senate committees on ways and means on the justification regarding any restriction on the hiring of fire training personnel, and shall explain the derived savings to the Local Aid Fund by not hiring said personnel in this item..... 2,878,355

8324-1501 The department is hereby authorized to expend an amount not to exceed \$300,000 for the purchase of training equipment used in recruit firefighter training courses conducted by the Massachusetts firefighting academy, from fees collected for said recruit training, according to the provisions of section 277 of this act 300,000

Registry of Motor Vehicles.

State Appropriations

8400-0001 For the administration and operation of the registry of motor vehicles, including the title division and including all rent and related parking and utility expenses of said registry; provided, that the positions of administrative assistant to the registrar, legislative assistant, executive assistant to the registrar, and the director of employee relations shall not be subject to civil service laws and rules; provided further, that all expenditures related to computer automation shall be subject to satisfactory quarterly reviews by the office of management information systems and pursuant to schedules by said office; provided further, that 40 per cent of the costs of personnel services associated with the registry computer, which reflects the proportionate use of said computer by the merit rating board, shall be assessed to insurance companies doing motor vehicle insurance business within the commonwealth, pursuant to section 183 of chapter 6 of the General Laws; provided further, that the registry shall operate an office in Fall River; provided further, that the registry of motor vehicles establish and maintain a record of all vehicles leased within the commonwealth for a period longer than thirty days; and provided further, that said record will include, but not be limited to, the name of the lessor and the lessee, and the address of the lessor and the lessee; provided further, that the registry of motor vehicles shall have an employee or other such person answering all initial incoming telephone calls at the customer phone information center between the hours of 9:00 a.m. and 5:00 p.m. 38,309,950

Highway Fund 100.0%

8400-0024 Notwithstanding the provisions of section two of chapter 280 of the General Laws, the registry of motor vehicles is hereby authorized to expend revenue collected up to a maximum of \$2,300,000 pursuant to chapter 90C of the General Laws from assessments for civil motor vehicle infractions, including the cost of personnel; provided, that

the amount of this expenditure shall be subtracted from the amount that otherwise would be credited to the Highway Fund pursuant to said section 2 of said chapter 280, and shall not affect or alter the amounts of payments to cities and towns pursuant to said section 2 of said chapter 280.....

2,300,000

8400-0033 The registry of motor vehicles is hereby authorized to expend revenues collected up to a maximum of \$3,500,000 from the fees charged for driver record access, drunk driver hearings, and registration reinstatement, for the administration of said fees, including the costs of personnel; provided, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the registry may incur expenses and the comptroller may certify for payments amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that all expenditures related to computer automation shall be subject to satisfactory quarterly reviews by the office of management information systems and pursuant to schedules by said office; and provided further, that 40 percent of the costs of personnel services associated with the registry computer, which reflects the proportionate use of said computer by the merit rating board, shall be assessed to insurance companies doing motor vehicle insurance business within the commonwealth, pursuant to section 183 of chapter 6 of the General Laws

3,500,000

8400-0100 For the safe driver insurance plan program authorized by chapter six of the General Laws, including the rent and related parking and utility expenses of the merit rating board; provided, that notwithstanding the provisions of any general or special law to the contrary, no safe driver insurance plan shall require the payment of an unsafe driver point surcharge for the first offense for non-criminal, motor vehicle traffic violations as described in chapter 90C of the General Laws

7,077,576

Highway Fund 100.0%

8400-7777 For costs associated with printing expenses and supplies of the registry of motor vehicles; provided, that notwithstanding the provisions of any general or special law to the contrary, prior to April 15, 1998 all funds appropriated herein shall be scheduled in the EE subsidiary, so-called; provided further, that after said date, the registrar of motor vehicles, with the approval of the secretary of administration and finance, is hereby authorized to transfer from said EE subsidiary to the KK subsidiary, so-called, or the NN subsidiary, so-called, of this account, an amount not to exceed 15 per cent of the funds appropriated herein, if said secretary of administration and finance certifies in writing to the house and senate committees on ways and means that the following conditions have been met: (1) that the charges owed by said registry of motor vehicles for costs associated with printing expenses and

supplies does not exceed the amount appropriated herein; (2) that the department does not require any supplemental appropriations in any of its other items of appropriation; (3) that the department is expected to meet the revenue targets established in sections 1A and 1B of this act; and (4) that the department has not expended any funds for costs associated with printing expenses and supplies in any of its other items of appropriation; provided further, that said secretary of administration and finance shall notify the house and senate committees on ways and means of all transfers of funds between subsidiaries as authorized herein; and provided further, that no funds shall be scheduled in a subsidiary which is not explicitly referenced herein.....		582,653
Highway Fund 100.0%		
Federal Appropriation		
8400-0095	For the purposes of a federally funded grant entitled, Interstate 95 Corridor Grant	200,000
<i>Committee on Criminal Justice.</i>		
State Appropriations		
8600-0001	For the administration of the committee on criminal justice	281,347
8600-0060	For the purchase and distribution of sexual assault evidence collection kits	25,000
Federal Appropriations		
8600-0002	For the purposes of a federally funded grant entitled, Juvenile Justice Delinquency and Prevention Act Planning	119,560
8600-0003	For the purposes of a federally funded grant entitled, Juvenile Justice Delinquency and Prevention Act	1,076,040
8600-0008	For the purposes of a federally funded grant entitled, Drug-Free Schools and Communities Act of 1986.....	1,662,187
8600-0009	For the purposes of a federally funded grant entitled, Narcotics Control Assistance	9,797,436
8600-0010	For the purposes of a federally funded grant entitled, Statistical Analysis Center	49,991
8600-0015	For the purposes of a federally funded grant entitled, Weed and Seed for Chelsea	200,000
8600-0019	For the purposes of a federally funded grant entitled, Title V Delinquency Prevention	388,000
8600-0020	For the purposes of a federally funded grant entitled, Stop Violence Against Women Formula Grants Program.....	2,892,750
8600-0021	For the purposes of a federally funded grant entitled, National Criminal History Improvement Program	1,324,041
8600-0024	For the purposes of a federally funded grant entitled, State Prisoner Residential Substance Abuse.....	319,725
8600-0025	For the purposes of a federally funded grant entitled, Local Law Enforcement Block Grant	652,054

Military Division.

8700-0001	For the administration of the military division, including the offices of the adjutant general and state quartermaster, the operation of the armories, the camp Curtis Guild rifle range and certain national guard aviation facilities; provided, that notwithstanding the provisions of chapter 30 of the General Laws, certain military personnel in the military division may be paid salaries according to military pay grades, so-called; provided further, that not less than \$1,500,000 be expended on the renovations of the Newburyport armory, so-called	7,411,210
	General Fund..... 50.0%	
	Local Aid Fund..... 50.0%	
8700-1140	The state quartermaster is hereby authorized to expend revenues collected up to a maximum of \$75,000 accrued from fees for the non-military rental or use of armories for the costs of utilities and maintenance and up to a maximum of \$110,000 received from assessments made to the federal government for the use of telephones	185,000

Massachusetts Emergency Management Agency.

State Appropriations

8800-0001	For the operations of the Massachusetts emergency management agency; provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities; provided further, that not less than \$22,000 shall be available for the fuel, insurance, equipment, maintenance and miscellaneous expenses to sustain the operation of the Massachusetts civil air patrol for aerial surveillance of Massachusetts and other water areas to monitor for environmental pollution discharges, toxic waste dumps, transportation of hazardous materials and wastes and accidents involving said transport, in conjunction with the responsible agency; and provided further, that not less than \$75,000 shall be made available for the federal emergency management agency multi-hazard program, so-called; provided, however, that there is at least a 100 per cent match by the federal government; and, provided further, that the agency shall, prior to June 30, 1998, develop a hazard mitigation strategy for the commonwealth consistent with the national mitigation strategy prepared by the federal emergency management agency	733,215
	Local Aid Fund..... 100.0%	
8800-0100	For the nuclear safety preparedness program of the Massachusetts emergency management agency; provided, that the costs of said program, including fringe benefits and indirect costs, shall be assessed upon nuclear regulatory commission licensees operating nuclear power generating facilities in the commonwealth; provided further, that the department of public utilities shall develop an equitable method of apportioning said assessments among said licensees; and provided further, that said assessments shall be paid during the current fiscal year as provided by the department of public utilities and shall be credited to the General Fund	383,431
	Local Aid Fund..... 100.0%	

8800-0200	For the Seabrook nuclear safety preparedness program; provided, that the cost of said program be assessed on electric companies in Massachusetts which own, in whole or in part, or purchase power from, nuclear power plants located outside the commonwealth whose nuclear power plant areas, as defined in section 2B of chapter 639 of the acts of 1950, as added by section 24 of chapter 796 of the acts of 1979, include communities located within the commonwealth and shall be credited to the General Fund; provided further, that for the purposes of this item electric companies shall mean all persons, firms, associations and private corporations which own or operate works or a distributing plant for the manufacture and sale or distribution and sale, of electricity within the commonwealth; and provided further, that the term electric company shall not include municipalities or municipal light plants	267,030
Federal Appropriations		
8800-0003	For the purposes of a federally funded grant entitled, Emergency Management Assistance — Personnel and Administrative Expenses	891,078
8800-0004	For the purposes of a federally funded grant entitled, Emergency Management Assistance — Distribution to Cities and Towns	676,200
8800-0005	For the purposes of a federally funded grant entitled, Disaster Preparedness Assistance	50,000
8800-0006	For the purposes of a federally funded grant entitled, Radiological Systems Maintenance	206,109
8800-0007	For the purposes of a federally funded grant entitled, Radiological Defense Officer	57,107
8800-0008	For the purposes of a federally funded grant entitled, Population Protection Planning Program	208,994
8800-0009	For the purposes of a federally funded grant, entitled, Emergency Management Training — State/Local Personnel	112,832
8800-0010	For the purposes of a federally funded grant entitled, Earthquake Loss Study	88,600
8800-0019	For the purposes of a federally funded grant entitled, Superfund Amendment and Reauthorization Acts of 1986	60,000
8800-0025	For the purposes of a federally funded grant entitled, Hurricane Bob — Public Assistance	350,000
8800-0026	For the purposes of a federally funded grant entitled, Coastal Storm — Public Assistance Major Coastal Storm 0/30/91-11/02/91	400,000
8800-0039	For the purposes of a federally funded grant entitled, Urban Search and Rescue	32,000
8800-0040	For the purposes of a federally funded grant entitled, Winter Coastal Storm 12/11/92-12/13/92 Public Assistance	1,500,000
8800-0042	For the purposes of a federally funded grant entitled, Hazardous Materials Transportation Act	110,000

8800-0043	For the purposes of a federally funded grant entitled, Hurricane Preparedness.....	46,430
8800-0044	For the purposes of a federally funded grant entitled, Counter Terrorism Preparedness.....	25,000
8800-0054	For the purposes of a federally funded grant entitled, Flood Disaster of 10/26/96	39,960,619

Governor's Highway Safety Bureau.

State Appropriations

8850-0001	For the highway safety program to provide matching funds for a federal planning and administration grant pursuant to section 207(d) of the Governor's Highway Transportation Act of 1978	220,115
	Highway Fund 50.0%	
	Motorcycle Safety Fund 50.0%	
8850-0015	For the expenses of the motorcycle safety program	168,892
	Motorcycle Safety Fund 100.0%	

Federal Appropriation

8850-0004	For the purposes of a federally funded grant entitled, State Agency Programs	3,400,000
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Department of Correction.

8900-0001	For the administration and operation of the commonwealth's correctional facilities; provided, that notwithstanding the provisions of any general or special law to the contrary, no collective bargaining agreement entered into by the commissioner of administration or his designee in fiscal year 1998 shall contain an increase in roll call pay for correctional officers; provided further, that the department shall maintain operations of one 12-bed treatment unit for females who are awaiting trial or who have been convicted of a crime and who are in need of detoxification and treatment for chemical dependency or alcoholism; and provided further, that when the department determines that it is necessary to transfer prisoners to facilities outside of the commonwealth, said department shall determine which such available facility is the geographically closest facility that will provide the most cost effective transfer	240,369,740
8900-0002	For the administration of the department; provided, that employees in the prisoners classification division shall not be subject to civil service law and rules; provided further, that notwithstanding the provisions of any general or special law to the contrary, the director of civil service shall certify to the commissioner of correction, upon receipt of permanent requisitions, names of correction officers to fill permanent vacancies.....	4,004,977
8900-0003	For local relief to mitigate the inordinate fiscal demand placed on local life, health and safety departments in those cities and towns hosting a state correctional facility; provided, that each such city and town shall receive a percentage of the total funds as appropriated herein which shall be equal to the total state inmate population incarcerated.....	

	ated within a state correctional facility located within such city or town; provided further, that all inmates incarcerated at Massachusetts Correctional Institute-Shirley shall be deemed to be incarcerated within a correctional facility located in the town of Shirley; and provided further, that for the purpose of mitigation calculation, all distribution percentages shall be calculated according to the department of correction's inmate population record for July 1 of the prior year.....	997,000
	Local Aid Fund.....	100.0%
8900-0004	For inmate health services; provided, that the commissioner of correction shall file quarterly reports detailing expenditure patterns of this item with the house and senate committees on ways and means; provided further, that, notwithstanding the provisions of any general or special law to the contrary, expenditures made from the RR subsidiary, so-called, of this item for the contracted provider service costs associated with the purposes of the programs funded herein shall not exceed \$43,334,070.....	44,333,424
8900-0007	For the expenses of the comprehensive offenders employment resources system; including a contract for the community corrections resource center in the city of Springfield	371,997
8900-0009	For education services of the department; provided, that not more than \$150,000 be made available for a literacy education pilot program at two correctional facilities, one of which shall be Massachusetts Correctional Institute-Framingham; provided further, that ten education specialist positions, so-called, currently funded in fiscal year 1998 by the department of correction but formerly funded by Mount Wachusett community college, shall be converted to full time state employee positions formerly known as 01's, so-called	4,281,862
8900-0010	For prison industries and farm services; provided, that the commissioner of correction shall determine the cost of manufacturing motor vehicle registration plates and certify to the comptroller the amounts to be transferred from the Highway Fund to the General Fund; and provided further, that the commissioner of correction shall submit quarterly financial reports detailing revenues generated and expended, to the house and senate committees on ways and means	2,456,568
8900-0011	For a prison industries and farm services revenue retention account; provided, that the department is hereby authorized to expend an amount not to exceed \$2,800,000 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities and compensation of employees of the program; provided further, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system, so-called	2,800,000
8900-0015	For correctional residential services; provided, that not less than \$500,000 shall be expended for a contracted low-security residential program for incarcerated expectant	

	mothers; provided further, that not less than \$150,000 shall be obligated for assistance to incarcerated mothers; and provided further, that not less than \$30,000 shall be provided to the Dismas house in Worcester.....	760,000
8900-0016	For the cost of housing state inmates in federal prisons	800,000
8900-0100	For the administration and operation of the Nemasket correctional center.....	4,113,169
8900-8888	For costs associated with electricity, natural gas, and other fuel for buildings of the department of correction; provided, that, notwithstanding the provisions of any general or special law to the contrary, prior to April 15, 1998, all funds appropriated herein shall be scheduled in the GG subsidiary, so-called; provided further, that after said date, the commissioner of the department of correction, with the approval of the secretary of administration and finance, is hereby authorized to transfer from said GG subsidiary to the KK subsidiary, so-called, or the NN subsidiary, so-called, of this account, an amount not to exceed 15 per cent of the funds appropriated herein, if said secretary of administration and finance certifies in writing to the house and senate committees on ways and means that the following conditions have been met: (1) that the charges owed by said department of correction for costs associated with electricity, natural gas, and other fuel for buildings of the department does not exceed the amount appropriated herein; (2) that the department does not require any supplemental appropriations in any of its other items of appropriation; (3) that the department is expected to meet the revenue targets established in sections 1A and 1B of this act; and (4) that the department has not expended any funds for costs associated with electricity, natural gas, and other fuel for buildings in any of its other items of appropriation; provided further, that said secretary of administration and finance shall notify the house and senate committees on ways and means of all transfers of funds between subsidiaries as authorized herein; and provided further, that no funds shall be scheduled in a subsidiary which is not explicitly referenced herein	9,148,000
8900-9999	For the payment of charges assessed to the department of correction for the payment of workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback, so-called; provided, that, notwithstanding the provisions of any general or special law to the contrary, prior to April 15, 1998 all funds appropriated herein shall be scheduled in the DD subsidiary, so-called; provided further, that after said date, the commissioner of the department of correction, with the approval of the secretary of administration and finance, is hereby authorized to transfer from the DD subsidiary to the KK subsidiary, so-called, or the NN subsidiary, so-called, of this account, an amount not to exceed 15 per cent of the funds appropri-	

ated herein, if the secretary of administration and finance certifies in writing to the house and senate committees on ways and means that the following conditions have been met: (1) that the charges owed by the department for workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback are less than the amount appropriated herein; (2) that the department does not require any supplemental appropriation in any of its other items of appropriation; (3) that the department is expected to meet the revenue targets established in sections 1A and 1B of this act; and (4) that the department has not expended any funds for the payment of workers compensation, unemployment insurance, medicare taxes, health security plan, and the group insurance commission extended leave chargeback, so-called, in any of its other items of appropriation; provided further, that the secretary of administration and finance shall notify the house and senate committees on ways and means of all transfers of funds between subsidiaries as authorized herein; and provided further, that no funds shall be scheduled to any subsidiary in this account which is not explicitly referenced herein

9,274,073

County Corrections.

8910-0000	For the leasing costs associated with modular units	3,507,762
8910-0011	For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the sheriff of the former Franklin county; provided, that said sheriff shall submit to the executive office of public safety and the house and senate committees on ways and means copies of spending plans not later than October 15, 1997; provided further, that any revenues received from the housing of federal prisoners shall be tracked and reported quarterly, and all such revenues shall be deposited in the General Fund upon certification by the comptroller; and provided further, that all collected and anticipated revenue shall be reported to the senate and house committees on ways and means prior to February 1, 1998	5,356,202
8910-0100	For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the sheriff of Barnstable county; provided, that said sheriff shall submit to the executive office of public safety and the house and senate committees on ways and means copies of spending plans not later than October 15, 1997; provided further, that any revenues received from the housing of federal prisoners shall be tracked and reported quarterly, and all such revenues shall be deposited in the General Fund upon certification by the comptroller; and provided further, that all collected and anticipated revenue shall be reported to the senate and house committees on ways and means prior to February 1, 1998	11,456,299

8910-0101	For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the sheriff of Berkshire county; provided, that said sheriff shall submit to the executive office of public safety and the house and senate committees on ways and means copies of spending plans not later than October 15, 1997; provided further, that any revenues received from the housing of federal prisoners shall be tracked and reported quarterly, and all such revenues shall be deposited in the General Fund upon certification by the comptroller; and provided further, that all collected and anticipated revenue shall be reported to the senate and house committees on ways and means prior to February 1, 1998	5,193,761
8910-0102	For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the sheriff of Bristol county; provided, that said sheriff shall submit to the executive office of public safety and the house and senate committees on ways and means copies of spending plans not later than October 15, 1997; provided further, that not more than \$385,000 shall be expended for an intermediate sanctions program at the New Bedford district court; provided further, that any revenues received from the housing of federal prisoners shall be tracked and reported quarterly, and all such revenues shall be deposited in the General Fund upon certification by the comptroller; and provided further, that all collected and anticipated revenue shall be reported to the senate and house committees on ways and means prior to February 1, 1998	29,733,725
8910-0103	For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the sheriff of Dukes county; provided, that said sheriff shall submit to the executive office of public safety and the house and senate committees on ways and means copies of spending plans not later than October 15, 1997; provided further, that any revenues received from the housing of federal prisoners shall be tracked and reported quarterly, and all such revenues shall be deposited in the General Fund upon certification by the comptroller; and provided further, that all collected and anticipated revenue shall be reported to the senate and house committees on ways and means prior to February 1, 1998	1,716,862
8910-0104	For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the sheriff of Essex county; provided, that said sheriff shall submit to the executive office of public safety and the house and senate committees on ways and means copies of spending plans not later than October 15, 1997; provided further, that any revenues received from the housing of federal prisoners shall be tracked and reported quarterly, and all such revenues shall be deposited in the General Fund upon certification by the comptroller; and provided further, that all collected and	

	anticipated revenue shall be reported to the senate and house committees on ways and means prior to February 1, 1998	33,377,105
8910-0105	For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the sheriff of Hampden county; provided, that said sheriff shall submit to the executive office of public safety and the house and senate committees on ways and means copies of spending plans not later than October 15, 1997; provided further, that any revenues received from the housing of federal prisoners shall be tracked and reported quarterly, except for those revenues received pursuant to any federal or state grant programs which shall continue to be received and administered by the sheriff of Hampden county or Hampden jail and house of correction for the intended purpose of said grant and all such revenues shall be deposited in the General Fund upon certification by the comptroller; and provided further, that all collected and anticipated revenue shall be reported to the senate and house committees on ways and means prior to February 1, 1998.....	46,711,595
8910-0106	For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the sheriff of Hampshire county; provided, that said sheriff shall submit to the executive office of public safety and the house and senate committees on ways and means copies of spending plans not later than October 15, 1997; provided further, that any revenues received from the housing of federal prisoners shall be tracked and reported quarterly, and all such revenues shall be deposited in the General Fund upon certification by the comptroller; and provided further, that all collected and anticipated revenue shall be reported to the senate and house committees on ways and means prior to February 1, 1998	8,903,623
8910-0107	For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the sheriff of Middlesex county; provided, that said sheriff shall submit to the executive office of public safety and the house and senate committees on ways and means copies of spending plans not later than October 15, 1997; provided further, that any revenues received from the housing of federal prisoners shall be tracked and reported quarterly, and all such revenues shall be deposited in the General Fund upon certification by the comptroller; and provided further, that all collected and anticipated revenue shall be reported to the senate and house committees on ways and means prior to February 1, 1998	41,737,543
8910-0108	For the operation of the jail, and any other statutorily authorized facilities and functions under the administration of the sheriff of Nantucket county; provided, that said sheriff shall submit to the executive office of public safety and the house and senate committees on ways and means copies of spending plans not later than October 15, 1998...	538,914

8910-0109	For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the sheriff of Norfolk county; provided, that said sheriff shall submit to the executive office of public safety and the house and senate committees on ways and means copies of spending plans not later than October 15, 1997; provided further, that any revenues received from the housing of federal prisoners shall be tracked and reported quarterly, and all such revenues shall be deposited in the General Fund upon certification by the comptroller; and provided further, that all collected and anticipated revenue shall be reported to the senate and house committees on ways and means prior to February 1, 1998	22,803,372
8910-0110	For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the sheriff of Plymouth county; provided, that said sheriff shall submit to the executive office of public safety and the house and senate committees on ways and means copies of spending plans not later than October 15, 1997; provided further, that funds appropriated herein shall be also be expended for operating and debt service costs associated with the Plymouth county facility; provided further, that any revenues received from the housing of federal prisoners shall be tracked and reported quarterly, and all such revenues shall be deposited in the General Fund upon certification by the comptroller; and provided further, that all collected and anticipated revenue shall be reported to the senate and house committees on ways and means prior to February 1, 1998	39,933,510
8910-0111	For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the sheriff of Suffolk county; provided, that said sheriff shall submit to the executive office of public safety and the house and senate committees on ways and means copies of spending plans not later than October 15, 1997; provided further, that any revenues received from the housing of federal prisoners shall be tracked and reported quarterly, and all such revenues shall be deposited in the General Fund upon certification by the comptroller; and provided further, that all collected and anticipated revenue shall be reported to the senate and house committees on ways and means prior to February 1, 1998	75,961,406
8910-0112	For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the sheriff of Worcester county; provided, that said sheriff shall submit to the executive office of public safety and the house and senate committees on ways and means copies of spending plans not later than October 15, 1997; provided further, that any revenues received from the housing of federal prisoners shall be tracked and reported quarterly, and all such revenues shall be deposited in the General Fund upon certification by the	

comptroller; and provided further, that all collected and anticipated revenue shall be reported to the senate and house committees on ways and means prior to February 1, 1998

30,473,325

Parole Board.

8950-0001

For the administration and operation of the parole board; provided, that not less than \$250,000 shall be expended for the Pathways Program to include direct linkages and inter-agency agreements for the provision of services with the appropriate workforce development agencies.....

13,007,281

8950-0002

For the victim and witness assistance program of the parole board, in accordance with the provisions of chapter 258B of the General Laws; provided, that the victim service unit positions shall be classified by the department of personnel administration under the state classification system.....

154,652

Victim Witness Assistance Fund 100.0%

EXECUTIVE OFFICE OF ELDER AFFAIRS.

Office of the Secretary.

State Appropriations

9110-0100

For the operation and administration of the executive office of elder affairs; provided, that the secretary of elder affairs is hereby authorized and directed to work with the commissioner of the division of medical assistance and the deputy purchasing agent of the division of purchased services to identify all home care services which meet the federal definition of personal care services in 42 CFR 440.170(f) and case management in 1915(g) of Title XIX, and to seek federal matching funds for such services furnished to persons eligible for medical assistance under the provisions of chapter 118E of the General Laws which are not presently reimbursed; provided further, that the secretary of elder affairs shall seek private funding of not more than \$37,000 for the elder advocacy organization known as the silver-haired legislature; provided further, that the executive office of elder affairs shall enter into an interagency service agreement with the department of veterans' services to maximize revenues by identifying individuals who are eligible for veterans' pensions and are currently receiving home care and home health services; provided further, that said secretary is hereby authorized and directed to expend not more than \$100,000 to the Lowell Alzheimer's Disease Center to formulate a research and development plan in conjunction with the University of Massachusetts at Lowell; provided further, that said study shall include consideration of the ability of said center to: (1) conduct research into the causes of and potential cures for Alzheimer's disease and associated forms of dementia; and (2) support and assist other such activities related to the foregoing; provided further, that said study shall consider the possible structure and composition, corporate or otherwise, of said center and the possible role of the University of Massachusetts at Lowell in the research phase; and provided further, that said center shall report

	on the results of said report by filing the same with the clerks of the house of representatives and the senate and the house and senate committees on ways and means on or before the first Wednesday in December 1997	1,814,924
9110-0102	For the regulation of assisted living facilities; provided, that the executive office of elder affairs shall report quarterly to the house and senate committees on ways and means the number of assisted living units certified and the total revenues generated from application and certification fees for said units..... Assisted Living Administrative Fund 100.0%	235,810
9110-1603	For managed care in housing for individuals at risk of institutionalization due to functional impairments not of sufficient severity to meet medicaid nursing home clinical admissions criteria; provided, that said individuals shall be subject to the same rules and regulations as clients served under item 9110-1630 of section 2 of this act; and provided further, that no rate increase for managed care services shall be awarded in fiscal year 1998	8,435,340
9110-1630	For the home care program including home care, health aides, home health and respite services, protective services and other services provided to the elderly; provided, that a sliding fee shall be charged to qualified elders; provided further, that the secretary of elder affairs may waive collection of said fee in cases of extreme financial hardship; provided further, that not more than \$4,000,000 in revenues accrued from said sliding fees shall be retained by the individual home care corporations without reallocation by the executive office of elder affairs, and shall be expended for the purposes of the home care program, consistent with guidelines to be issued by the executive office of elder affairs; provided further, that the executive office shall report quarterly to the house and senate committees on ways and means on the receipt and expenditure of revenues accrued from said sliding fees; provided further, that home care corporations shall report monthly to the executive office of elder affairs on the receipt and expenditure of revenues accrued from said sliding fees; provided further, that not less than \$3,000,000 shall be obligated for a program of respite care services to provide relief for caregivers who normally provide care to severely impaired individuals, especially those with Alzheimer's disease; provided further, that the executive office of elder affairs shall submit a detailed report of aggregate monthly home care purchase of service expenditures, as described in lines 38 to 43, inclusive, of item 9110-1630 of section 2 of chapter 164 of the acts of 1988; provided further, that the secretary of elder affairs shall submit said report to the house and senate committees on ways and means and the secretary of administration and finance, no later than 2 months following the month reported; provided further, that funds appropriated herein which exceed the fiscal year 1997 funding level shall be used to increase the per member per month benefit rate,	

so-called; provided further, that no funds shall be expended from this item to pay for any salary increases for direct service workers who provide state-funded homemaker and home health aid services, which would cause a reduction in client services; and provided further, that notwithstanding the provisions of any general or special law to the contrary, the secretary is hereby authorized to transfer not more than 3 per cent of the funds appropriated herein to item 9110-1633 of section 2 for the administration of home care corporations or case management services..... 78,125,086

9110-1633 For contracts with home care corporations or other qualified entities for home care case management services, protective services, and the administration of the home care corporations funded through item 9110-1630 and item 9110-1603 of section 2; provided, that said contract shall include the costs of administrative personnel, home care case managers, travel, rent and any other costs deemed appropriate by the executive office; provided further, that notwithstanding the provisions of any general or special law to the contrary, the secretary is hereby authorized to transfer not more than 3 per cent of the funds appropriated herein to item 9110-1630 of section 2 for the direct purchase of home care, home health or related services 32,978,096

9110-1634 The secretariat may expend for the purposes of item 9110-1633 an amount not to exceed \$3,000,000 from federal revenues collected pursuant to the provisions of Title XIX of the Social Security Act for case management and personal care and related services provided to Medicaid-eligible home care clients 3,000,000

9110-1660 For congregate and shared housing services for the elderly; provided, that not less than \$50,000 shall be expended for congregate housing services at the Tuttle House facility in Dorchester; and provided further, that no new congregate housing sites not otherwise authorized in fiscal year 1997 shall be established in fiscal year 1998 1,354,492

9110-1900 For local services; provided, that all funds appropriated under this item for an elder service corps shall be for corpsmen stipends, for the cost of mailing corpsmen stipends and for corpsmen participation in group insurance programs, as set forth in chapter 1168 of the acts of 1973; provided further, that the stipend for full-time corpsmen shall not exceed the maximum allowed under earnings limitation sections of the social security act and the stipend for part-time corpsmen shall not exceed \$130 per month; provided further, that not less than \$4,300,000 shall be obligated for the administration of a meals program for elderly persons; provided further, that the department of elder affairs shall maximize federal reimbursement for meals funded herein; and provided further, that not less than \$80,000 shall be expended to pay for the cost of the money management program for the elderly..... 5,639,341

Local Aid Fund..... 100.0%

9110-9002	For the local services program for grants to the councils on aging; provided, that notwithstanding the above, all monies appropriated herein be expended in accordance with the distribution schedules for formula and incentive grants established by the department of elder affairs; provided further, that said distribution schedules be submitted to the house and senate committees on ways and means; provided further, that not less than \$15,000 shall be obligated for the Massachusetts senior games; provided further, that \$30,000 shall be expended for the Newton/Nonantum multi-service center; and provided further, that no less than \$20,000 be expended for the Waltham council on aging; provided that not less than \$45,000 shall be expended for the refurbishment of a kitchen at the Natick Senior Center	4,800,000
	Local Aid Fund..... 100.0%	

Federal Appropriations

9110-0850	For the purposes of federally funded grant entitled, Coordinated Aging, Rehabilitation and Disability Services.....	83,922
9110-1074	For the purposes of a federally funded grant entitled, Older Americans Assistance, Title III and Title VII; provided, that the executive office of elder affairs may provide periodic payments in advance to participating agencies	9,915,740
9110-1095	For the purposes of a federally funded grant entitled, Health Information Counseling and Assistance; provided that the executive office of elder affairs may provide periodic payments in advance to participating agencies	350,000
9110-1173	For the purposes of a federally funded grant entitled, Older Americans Act - Title III Nutrition Program; provided, that the executive office of elder affairs may provide periodic payments in advance to participating agencies	13,350,000
9110-1178	For the purposes of a federally funded grant entitled, Community Service Employment Program; provided, that the executive office of elder affairs may provide periodic payments in advance to participating agencies	1,950,000
9110-1181	For the purposes of a federally funded grant entitled, Cash in Lieu of Commodities Program; provided, that the executive office of elder affairs may provide periodic payments in advance to participating agencies	3,850,000

LEGISLATURE.

Senate.

9511-0000	For the compensation of senators; provided, that, notwithstanding the provisions of any other special or general law to the contrary, the funds appropriated herein shall be expended only in accordance with the provisions of section 3 of chapter 192 of the acts of 1994, prior appropriation continued.....	2,279,400
9511-8000	For expenses of senators, including travel, prior appropriation continued.....	228,000

9512-0000	For the office of the senate clerk, prior appropriation continued.....	794,563
9512-0100	For in-house printing, duplicating and other expenses, prior appropriation continued.....	99,072
9514-0000	For the office of the senate counsel, prior appropriation continued.....	590,000
9515-0000	For administrative and legislative aides to the senators including the salary of the chaplain of the senate, prior appropriation continued.....	5,700,000
9515-0100	For the cost of universal health insurance, unemployment, medicare and worker's compensation charges assessed against the employees of the senate, prior appropriation continued.....	198,000
9516-0000	For administrative, secretarial and clerical assistance to the senators, prior appropriation continued	1,860,000
9516-0030	For a legislative intern and service program for the senate, prior appropriation continued	325,000
9517-0000	For the office of the senate committee on ways and means, prior appropriation continued	1,122,612
9518-0000	For the office supplies and other expenses of the senators, prior appropriation continued	1,100,000
9519-5000	For the salaries of court officers and pages of the senate, prior appropriation continued.....	1,284,000
9519-6000	For the office of legislative post audit and oversight bureau of the senate, prior appropriation continued	355,000
9519-7000	For legislative committee services for the senate, prior appropriation continued.....	1,650,000
9519-7500	For the automation of senate offices, prior appropriation continued.....	225,000
9519-8000	For the expenses of televising sessions of the senate, prior appropriation continued.....	240,000
0185-7888	For the additional expenses of the senate committee on ways and means which are associated with the review and study of the commonwealth's health care systems, pension systems, organizational structure, and other policy areas, prior appropriation continued.	

House of Representatives.

9621-0000	For the compensation of representatives; provided that, notwithstanding the provisions of any other special or general law to the contrary, the funds appropriated herein shall be expended only in accordance with the provisions of section 3 of chapter 192 of the acts of 1994, prior appropriation continued.....	7,875,600
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9622-8000	For expenses of representatives, including travel, prior appropriation continued.....	926,000
9623-0000	For the office of the clerk of the house of representatives, prior appropriation continued	566,654
9624-0000	For the salary of the chaplain of the house of representatives, prior appropriation continued	17,450
9625-0000	For the office of the house counsel, prior appropriation continued.....	1,035,016
9626-0000	For the office of the house committee on rules, prior appropriation continued.....	1,310,401
9626-0010	For repairs and renovations, prior appropriation continued.....	186,000
9627-0050	For the cost of universal health and unemployment insurance, medicare and worker's compensation charges assessed against the employees of the house of representatives, prior appropriation continued	506,449
9627-0100	For a legislative intern and service program for the house of representatives, prior appropriation continued	400,000
9628-0000	For the office of the house committee on ways and means, prior appropriation continued	1,316,833
9628-0010	For certain renovations and improvements to the house committee on ways and means, including the costs of data processing services, equipment and personnel, prior appropriation continued.	
9628-0020	For the performance oversight component of the house ways and means committee, including the cost of travel as may be authorized and approved in writing by the chair of said house committee on ways and means, prior appropriation continued.	
9629-0000	For clerical and other expenses of the members of the house of representatives, prior appropriation continued	2,850,348
9630-0020	For administrative and legislative aides to the members of the house of representatives, prior appropriation continued	4,184,000
9631-0021	For the two administrative assistants to work within the county in which they reside under the direction of the elected representative from the Cape and Islands district; provided, that such assistants shall be residents of the districts; provided further, that each reside in separate counties and neither shall reside in the county in which the elected representative resides; and provided further, that such assistants shall be appointed by said elected representative, prior appropriation continued	56,597
9632-0040	For office supplies and other expenses of the house of representatives, prior appropriation continued	638,824
9633-0000	For the expenses of televising sessions of the house of representatives, prior appropriation continued	559,207
9634-2000	For the expenses related to the house information systems, including maintenance of data and telecommunications equipment, prior appropriation continued	154,349

9634-3000	For the salaries of court officers and pages of the house of representatives, prior appropriation continued	764,521
9634-4000	For the expenses of the office of the house committee on personnel administration, prior appropriation continued	34,452
9634-5000	For legislative committee services for the house of representatives, prior appropriation continued	5,320,484
9634-6000	For the office of legislative post audit and oversight bureau of the house of representatives, prior appropriation continued.....	652,833
9636-0000	For the legislative service bureau, prior appropriation continued.....	355,924
<i>Sergeant At Arms.</i>		
9731-0000	For the office of the sergeant-at-arms, prior appropriation continued.....	374,390
9731-0050	For the cost of universal health and unemployment insurance, medicare and worker's compensation charges assessed against the employees of the joint legislative committees, prior appropriation continued	285,687
9734-1000	For the salaries of clerks employed in the legislative document room, including other joint legislative expenses, prior appropriation continued	176,570
9735-0000	For contingent expenses of the senate and house of representatives and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, prior appropriation continued.....	180,100
9736-0000	For the rental, maintenance and updating of an electric roll call system, prior appropriation continued	22,532
<i>Joint Legislative Expenses.</i>		
9738-0001	For the administration of the office of legislative data processing, prior appropriation continued	750,000
9739-0003	For the compilation, indexing, annotating, printing and other expenses in connection with the publication of the bulletin of committee hearings and of the daily list, with the approval of the joint committee on rules, including other joint legislative expenses, prior appropriation continued....	167,167
9742-0000	For the administration of the legislative engrossing division, prior appropriation continued	248,199
9743-0000	For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, for printing the manual of the general court, with the approval of the clerks of the respective branches, and for biographical sketches of certain state and federal officials and other expenses, prior appropriation continued.....	1,051,858
9744-1000	For joint legislative data processing and telecommunications equipment and services, prior appropriation continued.	
9746-0000	For the expenses of the joint committees on rules and for clerical and other assistance to the joint committees, prior appropriation continued.....	174,242

9747-0010	For the expenses of joint standing and special committees authorized by joint order to sit and travel during the session and recess of the general court, said funds to be allocated to committees only upon written approval of the president of the senate and the speaker of the house of representatives, prior appropriation continued	38,054
9748-0000	For membership fees and programs of legislative associations for the general court of the commonwealth, with the approval of the president of the senate and the speaker of the house of representatives, prior appropriation continued.....	243,651
9749-0000	For the expenses of the special commission on financial services, established by section 111 of chapter 240 of the acts of 1989; provided, however, that this appropriation shall be fully funded by assessments on depository, non-depository and other financial institutions, prior appropriation continued.	
9749-0100	For the expenses of the joint committee on redistricting, prior appropriation continued.	
9749-0200	For the expenses of the study authorized by section 43 of chapter 142 of the acts of 1991; provided, that the expenditure of funds appropriated herein shall be contingent upon the prior receipt of private donations equal to or greater than said expenditure; provided further, that said donations shall be deposited into the General Fund, prior appropriation continued.	

1 SECTION 2B. Notwithstanding the provisions of any general
2 or special law to the contrary, the agencies listed herein are
3 hereby authorized to expend such amounts as are listed in
4 this section for the provisions of services to agencies listed in
5 section 2; provided, that all expenditures made pursuant to this
6 section shall be accompanied by a corresponding transfer of funds
7 from an account listed in section 2 of this act to the Intragovern-
8 mental Service Fund, established pursuant to section 2Q of
9 chapter 29 of the General Laws; provided further, that no expen-
10 ditures shall be made from said Intragovernmental Service Fund
11 which would cause said fund to be in deficit at the close of fiscal
12 year 1998; provided further, that all authorizations in this section
13 shall be charged to said Intragovernmental Service Fund; and pro-
14 vided further, that any balance remaining at the close of fiscal
15 year 1998 shall be transferred to the General Fund.

DISTRICT ATTORNEYS.

District Attorneys Association.

0340-2200	Notwithstanding any general or special law to the contrary, the district attorneys association is hereby authorized to charge back to each district attorney the cost of implementing the district attorneys office automation and case management and tracking system	999,524
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SECRETARY OF STATE.

Office of the Secretary of State.

0511-0003	For the costs of providing electronic and other publications purchased from the state bookstore and for commission and notary fees and for direct access to the secretary's computer library.....	25,000
0511-0235	The secretary of state is hereby authorized to receive compensation revenues from other state agencies including the judicial branch for the destruction of their obsolete records by the records center where appropriate; provided, that the secretary of state is hereby authorized to expend revenues not to exceed \$100,000 from such funds received for the costs of such obsolete record destruction; and provided further, that said fees shall be charged on an equitable basis	100,000

TREASURER AND RECEIVER-GENERAL.

Office of the Treasurer and Receiver-General.

0612-1026	For the pension costs associated with the county correction system; provided, that the state treasurer is hereby authorized and directed to assess, pursuant to sections 44, 225 and 229, items 8910-0011 through 8910-0112, inclusive, of section 2 of this act for the purposes of this item...	24,903,843
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EXECUTIVE OFFICE FOR
ADMINISTRATION AND FINANCE.

Office of Dispute Resolution.

1100-1108	For the office of dispute resolution for the costs of mediation and other services provided to certain agencies.....	300,000
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Bureau of State Office Buildings.

1102-3333	For the operation and maintenance of state buildings, including reimbursement for overtime expenses, materials and contract services purchased in performing renovations and related services for agencies occupying state buildings or for services rendered to approved entities utilizing state facilities	50,000
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Group Insurance Commission.

1108-5240	For the county corrections share of former county corrections employee health, dental, and optical insurance premium and plan costs incurred in fiscal year 1998; provided, that the county corrections share of said premium and plan costs for former county corrections employees shall be equal to the county's share as specified in any relevant	
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collective bargaining agreement and shall remain at that level until the expiration of said collective bargaining agreement; provided further, that notwithstanding any general or special law to the contrary, the group insurance commission is hereby authorized and directed to assess items 8910-0011 through 8910-0112, inclusive, of section 2 of this act for the purposes of this item

22,732,820

Reserves.

1599-2040 For the payment of prior year deficiencies, so-called, based upon schedules provided to the house and senate committees on ways and means; provided, that the comptroller is hereby authorized to charge departments' current fiscal year appropriations and transfer to this item amounts equivalent to the amounts to any prior year deficiency, so-called, subject to the conditions stated herein; provided further, that the comptroller shall only assess chargebacks to those current fiscal year appropriations when the account to which the chargeback is applied is the same account to which the prior year deficiency pertains, or if there is no such account, to the current fiscal year appropriation for the general administration of the department that administered the account to which the prior year deficiency pertains; provided further, that no chargeback shall be made which would cause a deficiency in any current fiscal year item of appropriation; and provided further, that the comptroller shall report on a quarterly basis to the house and senate committees on ways and means on all chargebacks assessed, including the amount of the chargeback, the item of appropriation and subsidiary charged, and the reason for the prior year deficiency

5,000,000

1599-2041 For the payment of final contract amounts owed under items of appropriation from the budgetary funds, in certain cases where the budget director determines that payment must be executed subsequent to the closing of the accounts payable period pursuant to section 13 of chapter 29 of the General Laws; provided that all departments shall take every reasonable action to minimize situations requiring the use of this item; provided further, that said departments shall provide evidence to the budget director to justify any such final contract payments; and provided further, that the comptroller is hereby authorized and directed to charge each department appropriation item in which a contract requiring such a final contract payments is encumbered an amount equivalent to the anticipated final contract payment, based on a schedule approved by the budget director

3,000,000

1599-3100 For the cost of the commonwealth's employer contributions to the unemployment compensation fund and the medical security trust fund; provided, that the secretary of administration and finance shall authorize the collection, accounting and payment of said contributions; and provided further, that in executing these responsibilities the state comptroller is authorized to charge in addition to individual appropriation accounts certain non-appropri-

ated funds amounts that are computed on the same basis as the commonwealth’s contributions are determined, including expenses, interest expense, or related charges

12,334,132

Division of Human Resources.

1750-0101

For the cost of goods and services rendered in administering training programs, including the cost of training unit staff; provided, that the division of human resources is authorized to collect a \$75 administrative fee from vendors who submit proposals in response to requests for proposals for the commonwealth of Massachusetts master service agreement for specialized training and consultation services at the time of proposal submission; provided further, that any vendor who fails to deliver the appropriate administrative fee with its submission shall be deemed non-responsive and its proposal shall not be considered for contract award; provided further, that the division shall charge to other items of appropriation for the cost of participants enrolled in programs sponsored by the division, or to state agencies employing said participants; and provided further, that the division is authorized to collect from participating state agencies a fee sufficient to cover administrative costs of the commonwealth’s performance recognition programs and to expend such fees for goods and services rendered in the administration of these programs

750,000

1750-0105

For the cost of workers’ compensation paid to public employees; provided that the secretary of administration and finance shall charge, pursuant to section 279, other items of appropriation or state agencies for cost incurred on behalf of said agencies; provided further, that said secretary may transfer workers’ compensation related fringe benefit assessments from federal grants and trust accounts to this item; provided further, that said secretary shall identify charges by said item of appropriation; provided further, that not more than \$709,392 shall be used for the compensation of employees; provided further, that said secretary shall file quarterly reports with the house and senate committees on ways and means detailing said items, including federal grants and trust accounts, that have not yet paid their charges, and the reasons why, within 3 weeks of the close of each quarter; provided further, that no funds shall be expended from this item that would cause said item to be deficient; and provided further, that said secretary shall provide projected costs of workers’ compensation costs incurred by agencies in fiscal year 1998 to the house and senate committees on ways and means by February 14, 1998

45,709,392

Workers’ Compensation Litigation Unit.

1750-0106

For the workers’ compensation litigation unit, including the costs of personnel.....

499,379

Division of Operational Services.

1775-0800

For the purchase, operation and repair of certain vehicles and for the cost of the operation and maintenance of all vehicles that are leased by other agencies, including the costs of personnel.....

4,368,660

1775-1000	For the provision of printing, photocopying, and related graphic art or design work, including all necessary incidental expenses and liabilities; provided, that the commissioner of administration shall charge to other items of appropriation within the agencies of the executive branch for such services, including the costs of personnel.....	1,600,843
	<i>Division of Information Technology.</i>	
1790-0200	For the cost of computer resources and services provided by the division of information technology in accordance with the policies, procedures and rates approved by the secretary for administration and finance, including the purchase, lease or rental of telecommunications lines, services and equipment, that are centrally billed to the commonwealth; provided, that said secretary shall charge other items of appropriation for the cost of said resources and services; provided further, that notwithstanding the provisions of any general or special law to the contrary, charges for the cost of computer resources and services provided by the bureau of computer services for the design, development, and production of reports and information required for the analysis and development of appropriations bills shall not be charged to any item of appropriation of the house of representatives, the senate or any joint legislative account in fiscal year 1998; provided further, that the bureau shall submit quarterly reports to the house and senate committees on ways and means summarizing each agency's charges and payments for the preceding quarter for this item; and provided further, that the secretary for administration and finance is authorized to establish regulations, procedures and a schedule of fees to further implement this section including, but not limited to, the development and distribution of forms and instructions, including the costs of personnel.....	7,693,370
1790-0400	For the purchase, delivery, handling of, and contracting for, supplies, postage, and related equipment and other incidental expenses provided pursuant to the provisions of section 51 of chapter 30 of the General Laws.....	1,904,069
1790-0500	For the cost of the commonwealth's data warehouse, in accordance with the policies, procedures and rates approved by the secretary of administration and finance; provided that said secretary shall charge other items of appropriation for the cost of said warehouse; provided further, that notwithstanding the provisions of any general or special law to the contrary, charges for the cost of the data warehouse and services provided for the design, development, and production of reports and information required for the analysis and development of appropriations bills shall not be charged to any item of appropriation of the house of representatives, the senate or any joint legislative account in fiscal year 1998; and provided further, that the secretary for administration and finance is authorized to establish regulations, procedures and a schedule of fees to further implement this section including, but not limited to, the development and distribution of forms and instructions, including the costs of personnel.....	492,000

**EXECUTIVE OFFICE OF
ENVIRONMENTAL AFFAIRS.**

Office of the Secretary.

2001-1002	For the costs of data processing and related computer and mapping services, the distribution of digital cartographic and other data, the review of environmental notification forms pursuant to the Massachusetts Environmental Policy Act, and for the staff and printing of the MEPA Monitor	350,000
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*Department of Fisheries, Wildlife, and
Environmental Law Enforcement.*

2350-0102	For the costs of overtime and special details provided by the department of fisheries, wildlife, and environmental law enforcement's division of environmental law enforcement.....	160,000
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Metropolitan District Commission.

2410-1002	For the costs of operating the commission's telecommunications system; provided, that nothing in this section shall diminish or impair the rights of access or utilization of all current users of the system pursuant to agreements which have been entered into with the commission	100,000
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2410-1003	For the costs of the purchase of fuel, oil, and other associated products for other state agencies	550,000
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**EXECUTIVE OFFICE OF
HEALTH AND HUMAN SERVICES.**

*Massachusetts Commission for the
Deaf and Hard of Hearing.*

4125-0122	For the cost of interpreter services provided by staff of the commission; provided, that the costs of personnel may be charged to this item; provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the commission may incur expenses and the comptroller may certify for payments amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system	125,000
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Department of Public Health.

4590-0901	For costs of medical services provided at public health hospitals pursuant to a schedule of services and fees approved by the commissioner of public health, which may be expended for the purposes of hospital related costs, including capital expenditures and motor vehicle replacement	150,000
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4590-0903	For the expenses of medical services provided at the department of public health Lemuel Shattuck hospital to inmates of county correctional facilities; provided, that the expenses so incurred shall be charged to items 8910-0101, 8910-0102, 8910-0107, 8910-0109, 8910-0110, 8910-0111, 8910-0112 pursuant to the provisions contained	
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therein; provided further, that not more than \$1,651,590 in expenses shall be so incurred; provided further, that the department may expend the amounts transferred to this item for purposes of hospital related costs, including capital expenditures and motor vehicle replacement without further appropriation; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payments amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system 1,651,590

Department of Mental Health.

5047-0003 The department of mental health is hereby authorized to expend an amount not to exceed \$4,000,000 to improve, or enhance the services rendered to its clients; provided, that the department is hereby authorized to transfer funds from items 5042-5000, 5046-0000, 5046-1000, 5046-2000, 5046-3000, 5047-0001, 5051-0100, 5055-0000, and 5095-0000 of section 2 to this account, such amounts as may be appropriate to improve or enhance services to its clients subject to a transfer plan which shall be filed in advance with the house and senate committees on ways and means 4,000,000

Department of Mental Retardation.

5948-0012 For the costs of residential services provided in item 7061-0012 in section 2 5,000,000

**EXECUTIVE OFFICE OF
TRANSPORTATION AND CONSTRUCTION.**

Massachusetts Aeronautics Commission.

6006-0010 For the costs of air transportation services, including the costs of personnel 47,500

Department of Highways.

6030-7501 For the costs of the purchase of bulk fuel for certain vehicles under the authority of the department of procurement and general services, and the costs of purchased fuel for other agencies and for certain administrative expenses related to purchasing and distributing the fuel 300,000

EXECUTIVE OFFICE OF PUBLIC SAFETY.

Department of State Police.

8100-0002 For the costs of overtime associated with requested police detail; provided, for the purpose of accommodating discrepancies between the receipt of revenues and related expenditures, the department may incur expenses, and the comptroller may certify for payment, amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system 2,000,000

Military Division.

8700-1145	For the costs of utilities and maintenance and for the implementation of energy conservation measures with regard to the state armories	200,000
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Department of Correction.

8900-0021	For the costs of products produced by the prison industries and farm program and for the costs of services provided by inmates, including moving, auto repair, culinary, and renovation and construction services; provided, that the cost for such renovation and construction services shall not exceed the amount established by the department of procurement and general services; provided further, that such revenues may also be expended for materials, supplies, equipment, maintenance of facilities and compensation of employees and for the inmate employment and training program.....	5,400,000
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1 SECTION 3. Notwithstanding the provisions of any general or
2 special law to the contrary, except for section 12B of chapter 76 of
3 the General Laws and section 89 of chapter 71 of the General
4 Laws, for the fiscal year ending June 30, 1998, the distribution to
5 cities and towns of the balance of the State Lottery Fund, as paid
6 by the treasurer from the Local Aid Fund in accordance with the
7 provisions of clause (c) of the second paragraph of section 35 of
8 chapter 10 of the General Laws, shall be \$539,665,201 and shall be
9 apportioned to the cities and towns in accordance with this section;
10 provided, that the amount of any balance in the State Lottery Fund
11 at the end of the fiscal year shall be transferred to the Local Aid
12 Fund; provided, further, that the total amount of lottery distribution
13 in fiscal year 1997 shall be considered "general revenue sharing aid
14 received in the prior fiscal year" for purposes of calculating the
15 municipal revenue growth factor pursuant to the provisions of
16 chapter 70 of the General Laws; provided further, that the entire
17 amount of the distribution made by this section shall be exempt
18 from the provisions of section 5 of said chapter 70.

19 Notwithstanding the provisions of any general or special law to
20 the contrary, except for section 12B of chapter 76 of the General
21 Laws, and section 89 of chapter 71 of the General Laws, the total
22 amounts to be distributed and paid to each city, town, regional
23 school district and county maintaining an agricultural school from
24 items 0611-5500 and 7061-0008 of section 2 of this act shall be as
25 set forth in the following lists; provided, that the specified amounts
26 to be distributed from item 7061-0008 of said section 2 are hereby

27 deemed to be in full satisfaction of the amounts due under the provi-
 28 sions of sections 3, 6, and 7 of chapter 70 of the General Laws; pro-
 29 vided further, that the amounts to be distributed from item
 30 0611-5500 of said section 2 are hereby deemed to be in full satisfac-
 31 tion of the amounts due under section 37 of chapter 21 of the
 32 General Laws. No payments to cities, towns, or counties main-
 33 taining an agricultural school pursuant to this section shall be made
 34 after November 30 of the fiscal year by the state treasurer until he
 35 receives certification from the commissioner of revenue of said
 36 commissioner's acceptance of the prior fiscal year's annual finan-
 37 cial reports submitted pursuant to the provisions of section 43 of
 38 chapter 44 of the General Laws.

Municipality	7061-0008 Chapter 70 School Aid	0611-5500 Additional Assistance	Lottery Distribution
Abington	5,202,246		1,463,544
Acton	1,303,732	37,368	998,126
Acushnet	3,907,763	30,043	1,128,174
Adams		44,096	1,504,657
Agawam	9,216,376		2,690,888
Alford			11,503
Amesbury	8,040,138		1,468,549
Amherst	4,890,008	280,503	5,658,008
Andover	3,245,005		1,278,344
Arlington	3,828,648	5,652,310	3,299,659
Ashburnham			462,692
Ashby			279,276
Ashfield	64,595		114,248
Ashland	1,258,913	366,937	697,116
Athol		5,507	1,525,265
Attleboro	18,137,050		3,914,570
Auburn	3,069,295		1,199,266
Avon	395,340	504,148	304,657
Ayer	3,817,598	55,642	567,470
Barnstable	3,317,200		1,325,332
Barre	7,526		546,095
Becket	11,481	10,797	55,813
Bedford	1,192,555	609,391	550,420
Belchertown	6,161,214		1,059,081
Bellingham	5,766,362		1,417,501
Belmont	1,868,994	1,041,278	1,327,042
Berkley	2,696,700		368,347

Municipality	7061-0008 Chapter 70 School Aid	0611-5500 Additional Assistance	Lottery Distribution
Berlin	325,854		171,688
Bernardston			178,262
Beverly	5,009,361	3,086,077	2,903,592
Billerica	10,956,910	2,956,313	2,944,075
Blackstone	23,174		928,567
Blandford			85,751
Bolton			133,739
Boston	144,231,951	206,638,214	45,657,646
Bourne	2,205,575	443,645	789,882
Boxborough	209,610		167,714
Boxford	421,731	45,818	286,030
Boylston	251,070		248,263
Braintree	3,029,287	4,250,822	2,348,545
Brewster	353,734		243,592
Bridgewater	53,982		2,170,412
Brimfield	830,466		252,694
Brockton	75,875,295	5,424,063	12,286,449
Brookfield	1,281,488		346,673
Brookline	3,120,338	4,401,448	2,927,472
Buckland			195,952
Burlington	2,510,308	1,744,603	1,109,563
Cambridge	4,687,819	22,595,349	5,998,617
Canton	1,657,849	1,104,851	1,011,358
Carlisle	348,356	18,534	150,919
Carver	6,914,309		961,655
Charlemont	42,916		109,238
Charlton			893,478
Chatham	246,580		116,574
Chelmsford	4,954,782	3,190,395	2,241,444
Chelsea	28,761,762	4,274,507	3,763,173
Cheshire	114,700		375,418
Chester			115,960
Chesterfield	49,712		84,392
Chicopee	27,623,443	1,504,526	6,984,956
Chilmark			2,626
Clarksburg	958,722	16,502	269,116
Clinton	6,615,128	220,865	1,552,628
Cohasset	805,459	209,013	318,275
Colrain			152,703
Concord	972,198	483,163	697,218
Conway	417,446		116,543
Cummington	26,877		51,336
Dalton	276,890		707,607

Municipality	7061-0008 Chapter 70 School Aid	0611-5500 Additional Assistance	Lottery Distribution
Danvers	2,130,691	1,408,080	1,446,452
Dartmouth	5,500,012		1,813,655
Dedham	2,129,546	1,950,847	1,620,155
Deerfield	476,434		348,322
Dennis			359,968
Dighton			494,548
Douglas	3,481,695		451,335
Dover	161,064		150,834
Dracut	10,034,716		2,381,511
Dudley			1,051,551
Dunstable		37,846	127,515
Duxbury	1,772,672		664,382
East Bridgewater	6,854,737		1,031,601
East Brookfield	9,285		206,696
East Longmeadow	2,696,606		961,763
Eastham	139,280		94,575
Easthampton	6,622,292	137,004	1,945,775
Easton	4,947,229		1,526,909
Edgartown	186,573	35,873	29,765
Egremont			50,218
Erving	182,463	16,548	41,892
Essex	452,194	42,569	169,608
Everett	9,599,986	5,139,628	2,429,264
Fairhaven	5,283,842	492,569	1,481,705
Fall River	68,368,262	2,882,862	16,788,727
Falmouth	2,988,529		919,092
Fitchburg	25,481,119	270,312	5,688,904
Florida	408,264		35,112
Foxborough	4,616,407		1,137,951
Framingham	4,875,667	5,911,189	4,480,017
Franklin	10,730,831		1,743,541
Freetown	733,726		668,166
Gardner	10,683,056	151,944	2,718,039
Gay Head			1,624
Georgetown	1,981,782	66,691	494,771
Gill			146,558
Gloucester	3,465,642	2,419,911	1,853,268
Goshen	2,250		47,814
Gosnold	1,375	2,469	352
Grafton	3,392,645		1,102,015
Granby	2,142,288		606,969
Granville	512,544		99,035
Great Barrington			580,222

Municipality	7061-0008 Chapter 70 School Aid	0611-5500 Additional Assistance	Lottery Distribution
Greenfield	8,041,806		2,199,712
Groton			502,892
Groveland			490,085
Hadley	363,847	174,084	229,120
Halifax	1,816,455		659,032
Hamilton		53,967	453,452
Hampden			439,163
Hancock	47,415	22,195	31,728
Hanover	2,424,176	1,669,092	773,625
Hanson			921,087
Hardwick	75,087	4,062	280,167
Harvard	830,993	69,324	1,429,590
Harwich	788,922		286,231
Hatfield	444,259		237,251
Haverhill	27,313,812	3,149,881	5,395,732
Hawley	12,853	16,264	18,949
Heath			39,467
Hingham	2,313,347	420,485	1,037,888
Hinsdale	33,772		147,895
Holbrook	3,581,893	5,987	1,127,248
Holden			1,181,073
Holland	415,712		120,408
Holliston	4,279,884	518,826	906,682
Holyoke	50,932,268	763,384	6,781,727
Hopedale	2,626,634		439,951
Hopkinton	1,484,946	151,365	446,933
Hubbardston			205,065
Hudson	4,821,759		1,527,831
Hull	3,423,683	1,747,307	799,971
Huntington			217,645
Ipswich	1,273,809	975,780	760,203
Kingston	1,887,392		635,060
Lakeville	1,215,878		535,664
Lancaster			651,606
Lanesborough	440,131		283,593
Lawrence	79,628,984	239,970	11,754,336
Lee	1,284,378		520,321
Leicester	5,371,849		1,237,139
Lenox	963,092	90,787	450,160
Leominster	21,078,158	14,714	3,744,722
Leverett	214,865		120,975
Lexington	3,173,856		1,192,808
Leyden			46,318

Municipality	7061-0008 Chapter 70 School Aid	0611-5500 Additional Assistance	Lottery Distribution
Lincoln	262,080	367,459	356,504
Littleton	773,802	207,535	404,577
Longmeadow	2,546,088		1,016,517
Lowell	80,149,845	7,978,998	12,849,286
Ludlow	7,688,864		2,039,460
Lunenburg	2,580,063		774,884
Lynn	66,801,757	11,926,220	9,810,066
Lynnfield	1,169,700	455,892	564,778
Malden	15,436,062	7,030,168	6,107,500
Manchester	479,998		189,239
Mansfield	5,119,268	912,368	1,008,018
Marblehead	1,544,894	49,583	862,343
Marion	170,230		151,088
Marlborough	2,930,876	3,433,241	2,318,842
Marshfield	8,212,720	255,142	1,526,812
Mashpee	1,118,937		155,890
Mattapoisett	282,718		305,841
Maynard	1,498,383	738,519	825,258
Medfield	1,318,499	937,000	649,616
Medford	10,027,171	8,094,393	5,420,348
Medway	3,395,615	235,317	707,727
Melrose	4,326,793	3,402,865	2,373,565
Mendon			262,921
Merrimac			543,168
Methuen	16,548,107	205,147	3,640,879
Middleborough	11,900,078		1,737,497
Middlefield			30,561
Middleton	332,062	159,272	247,812
Milford	9,216,081		2,291,071
Millbury	4,009,532		1,279,844
Millis	1,414,864	403,862	568,639
Millville	5,305		244,250
Milton	1,973,889	1,566,851	1,743,749
Monroe	13,948	17,526	6,115
Monson	4,476,688		922,077
Montague			874,149
Monterey		15,777	28,865
Montgomery			59,666
Mount Washington	6,391	41,886	2,269
Nahant	246,129	157,791	221,358
Nantucket	395,010		52,369
Natick	2,642,789	2,444,348	1,764,270
Needham	2,371,248	259,216	1,196,813

Municipality	7061-0008 Chapter 70 School Aid	0611-5500 Additional Assistance	Lottery Distribution
New Ashford	11,920	9,203	5,872
New Bedford	75,944,564	901,313	16,993,220
New Braintree			74,800
New Marlborough			39,318
New Salem			65,997
Newbury			325,066
Newburyport	2,380,390	1,736,621	1,171,203
Newton	6,170,866	1,732,789	3,868,620
Norfolk	2,005,616		646,616
North Adams	11,364,810	233,872	3,242,162
North Andover	2,450,537	151,695	1,323,273
North Attleborough	9,461,765		2,095,317
North Brookfield	3,089,278		573,673
North Reading	1,628,323	1,189,787	778,947
Northampton	5,967,203	727,239	2,973,895
Northborough	1,522,779	76,900	754,078
Northbridge	8,170,545	3,865	1,658,116
Northfield			203,738
Norton	6,842,591		1,499,756
Norwell	1,266,854	680,878	499,530
Norwood	2,382,102	3,354,660	1,898,152
Oak Bluffs	145,135		47,608
Oakham	26,842		109,151
Orange	4,615,352	2,661	1,152,627
Orleans	123,815		125,719
Otis			21,448
Oxford	6,510,802		1,527,178
Palmer	6,491,026		1,362,105
Paxton	5,075		320,427
Peabody	10,011,785	3,951,625	3,638,439
Pelham	64,150		101,505
Pembroke	3,721,852		1,195,697
Pepperell			882,228
Peru	37,816		74,955
Petersham	136,255		73,984
Phillipston		5,519	97,624
Pittsfield	23,191,595	1,107,722	5,700,639
Plainfield	11,696		28,071
Plainville	1,011,171		514,694
Plymouth	14,682,650		2,438,738
Plympton	452,865		161,077
Princeton			208,124
Provincetown	184,480	27,912	106,915

Municipality	7061-0008 Chapter 70 School Aid	0611-5500 Additional Assistance	Lottery Distribution
Quincy	10,284,564	14,555,556	7,411,021
Randolph	7,840,293	2,297,597	2,606,303
Raynham	375		823,707
Reading	3,439,540	1,931,472	1,564,728
Rehoboth			656,294
Revere	16,860,870	6,712,698	4,227,558
Richmond	253,978		86,178
Rochester	516,350		288,586
Rockland	7,826,924	496,221	1,728,981
Rockport	720,841		316,174
Rowe	25,065		2,731
Rowley		143,746	309,075
Royalston			94,943
Russell			156,645
Rutland			556,341
Salem	8,047,790	4,151,021	2,831,878
Salisbury			442,591
Sandisfield			22,876
Sandwich	2,577,930	111,247	532,562
Saugus	2,579,206	2,245,040	1,630,002
Savoy	276,028	17,367	73,628
Scituate	2,154,299	1,101,119	1,062,545
Seekonk	2,410,392		888,214
Sharon	2,827,579	78,642	985,235
Sheffield		15,023	159,541
Shelburne			191,564
Sherborn	188,746	26,364	156,848
Shirley	2,663,262	233,500	726,173
Shrewsbury	4,349,972	376,077	1,709,842
Shutesbury	395,175		95,739
Somerset	1,604,703		996,989
Somerville	19,806,676	20,410,649	8,981,563
South Hadley	4,871,460	25,437	1,811,534
Southampton	954,884		405,083
Southborough	547,898		308,298
Southbridge	11,621,344		2,382,795
Southwick			808,769
Spencer	100,895		1,473,434
Springfield	146,358,953	2,302,181	22,529,384
Sterling			478,483
Stockbridge			80,305
Stoneham	1,694,734	2,553,177	1,581,869
Stoughton	7,034,058	129,781	2,409,811

Municipality	7061-0008 Chapter 70 School Aid	0611-5500 Additional Assistance	Lottery Distribution
Stow		8,776	295,085
Sturbridge	823,688		497,896
Sudbury	1,196,330	807,321	670,965
Sunderland	472,044		324,829
Sutton	2,530,603		547,832
Swampscott	1,262,704	443,359	729,708
Swansea	3,769,339		1,426,343
Taunton	26,713,960		6,529,694
Templeton			854,396
Tewksbury	7,835,954		2,123,701
Tisbury	155,135		73,626
Tolland		12,413	3,848
Topsfield	283,885	318,725	306,845
Townsend			789,637
Truro	117,926		20,940
Tyngsborough	3,906,217		594,375
Tyringham	14,000		10,007
Upton			364,307
Uxbridge	4,816,284		1,021,731
Wakefield	3,052,593	1,809,635	1,757,327
Wales	567,855		161,261
Walpole	3,474,413	1,112,115	1,343,268
Waltham	4,552,101	6,869,270	3,984,641
Ware	4,850,928	19,199	1,179,571
Wareham	8,753,960		1,524,106
Warren			504,423
Warwick		36,354	51,247
Washington	13,748	29,889	49,105
Watertown	1,670,112	5,571,114	2,245,554
Wayland	1,445,599	352,813	528,395
Webster	6,051,454	78,026	1,668,642
Wellesley	1,883,969	121,858	1,025,654
Wellfleet	73,915		43,920
Wendell		32,131	83,263
Wenham		175,913	229,679
West Boylston	979,661	85,259	475,326
West Bridgewater	1,442,475	59,411	470,152
West Brookfield			315,256
West Newbury			210,035
West Springfield	9,244,465		2,331,363
West Stockbridge			79,666
West Tisbury		229,569	20,252
Westborough	1,593,237	182,536	722,880

Municipality	7061-0008 Chapter 70 School Aid	0611-5500 Additional Assistance	Lottery Distribution
Westfield	21,437,874		4,267,923
Westford	2,852,538	1,126,887	963,767
Westhampton	179,179		94,272
Westminster			412,631
Weston	716,783		306,004
Westport	2,473,332		977,713
Westwood	1,312,677	45,632	544,522
Weymouth	14,763,458	3,050,391	5,394,709
Whately	59,458		89,910
Whitman			1,565,934
Wilbraham			900,479
Williamsburg	283,745		227,239
Williamstown	780,285		726,696
Wilmington	2,150,679	1,578,564	981,141
Winchendon	7,800,696	31,919	1,089,766
Winchester	2,102,110	433,387	972,263
Windsor	2,282	35,260	43,510
Winthrop	3,608,636	2,878,558	1,911,612
Woburn	3,009,920	4,513,710	2,304,039
Worcester	102,394,910	14,860,192	21,282,762
Worthington			75,535
Wrentham	2,609,398		715,946
Yarmouth			802,331
Total Aid to Regional Schools	401,134,975		
Total	\$2,288,742,702	\$476,315,282	\$539,665,201

Regional Schools	7061-0008 Chapter 70 School Aid
Acton Boxborough	2,244,542
Adams Cheshire	7,325,670
Amherst Pelham	6,281,307
Ashburnham Westminster	6,845,795
Assabet Valley	2,717,313
Athol Royalston	12,032,447
Berkshire Hills	2,569,940
Berlin Boylston	708,609
Blackstone Millville	7,587,626
Blackstone Valley	4,684,917
Blue Hills	3,153,421
Bridgewater Raynham	15,209,194
Bristol County	1,271,653
Bristol Plymouth	4,132,389
Cape Cod	1,677,281
Central Berkshire	6,034,653
Chesterfield Goshen	465,197
Concord Carlisle	1,231,758
Dennis Yarmouth	5,175,458
Dighton Rehoboth	7,698,615
Dover Sherborn	931,645
Dudley Charlton	12,067,166
Essex County	3,430,130
Farmington River	283,088
Franklin County	1,879,962
Freetown Lakeville	4,432,109
Frontier	959,166
Gateway	5,763,752
Gill Montague	5,198,747
Greater Fall River	8,713,956
Greater Lawrence	10,188,622
Greater Lowell	13,328,887
Greater New Bedford	13,292,907
Groton Dunstable	4,647,946
Hamilton Wenham	2,451,748
Hampden Wilbraham	6,874,852
Hampshire	1,586,817
Hawlemont	511,931
King Philip	3,615,433
Lincoln Sudbury	1,497,152
Ralph C. Mahar	3,084,543
Martha's Vineyard	625,765
Masconomet	1,877,444

Regional Schools	7061-0008 Chapter 70 School Aid
Mendon Upton	3,254,956
Minuteman	2,205,353
Mohawk Trail	5,986,951
Montachusett	5,481,754
Mount Greylock	1,686,980
Narragansett	5,822,883
Nashoba	4,754,244
Nashoba Valley	1,959,378
Nauset	2,703,502
New Salem Wendell	675,060
Norfolk County	640,116
North Middlesex	16,099,431
North Shore	1,321,783
Northhampton Smith	777,192
Northboro Southboro	1,254,844
Northeast Metropolitan	5,045,476
Northern Berkshire	2,593,902
Old Colony	1,944,315
Old Rochester	1,272,251
Pathfinder	1,898,802
Pentucket	8,698,995
Pioneer	3,020,362
Quabbin	9,991,431
Quaboag	6,369,870
Shawsheen Valley	3,122,286
Silver Lake	7,645,116
South Middlesex	2,297,247
South Shore	1,811,192
Southeastern	7,319,578
Southern Berkshire	1,491,657
Southern Worcester	4,167,719
Southwick Tolland	5,591,827
Spencer East Brookfield	9,645,416
Tantasqua	4,041,276
Tri County	2,714,405
Triton	6,472,036
Up-Island	722,979
Upper Cape Cod	1,353,890
Wachusett	13,857,295
Whitman Hanson	15,646,317
Whittier	4,458,404
Worcester Trade	7,024,951
Regional Total	\$401,134,975

1 SECTION 4. The state treasurer shall make advance payments
2 for some or all of periodic local reimbursement or assistance pro-
3 grams to any city, town or regional school district that demon-
4 strates an emergency cash shortfall, as certified by the
5 commissioner of revenue and approved by the secretary of admin-
6 istration and finance, pursuant to guidelines established by said
7 secretary.

1 SECTION 5. The commissioner of the division of capital plan-
2 ning and operations is hereby authorized and directed to develop a
3 project accounting system for all pool accounts including, but not
4 limited to, asbestos, handicapped access, demolition, fire protec-
5 tion improvement, environmental hazards, air pollution, energy,
6 preventive maintenance, wastewater treatment and toxic waste
7 cleanup. Such project accounting system shall be utilized to assess
8 charges for all project related costs including, but not limited to,
9 administrative overhead. The commissioner may, in accordance
10 with schedules approved by the secretary of administration and
11 finance, employ or reassign employees of the division to such pro-
12 jects as may be required; provided, however, that salaries and
13 administrative expenses shall be charged to the accounts funding
14 such project. Such charges shall not exceed two percent of the
15 following appropriation accounts: 1102-7881, 1102-7882, 1102-
16 7885, 1102-7886, 1102-7887, 1102-7890, 1102-7893, 1102-7894,
17 1102-7895, 1102-7896, 1102-7897, 1102-8801, 1102-8819, 1102-
18 8847, 1102-8869, 1102-8880, 1102-8890, 1102-8891, 1102-8892,
19 1102-8893, 1102-8895, 1102-8897, 1102-8899 and 1102-9802.

1 SECTION 6. Notwithstanding the provisions of section 31 of
2 chapter 81 of the General Laws or any other general or special law
3 to the contrary, the portion of the Highway Fund allocated for
4 reimbursements to cities and towns for costs actually incurred in
5 constructing, maintaining and policing city or town streets or
6 roads, as appropriated in item 6007-0017 of section 2, shall be
7 distributed in fiscal year 1998 in the same proportion as the fiscal
8 year 1997 distribution of said Highway Fund reimbursements.

1 SECTION 7. All sums appropriated under the provisions of
2 this act, including supplemental and deficiency budgets, shall be
3 expended in a manner reflecting and encouraging a policy of
4 nondiscrimination and equal opportunity for members of minority

5 groups, women and handicapped persons. All officials and
6 employees of any agency, board or division receiving monies
7 under this act shall take affirmative steps to ensure equality of
8 opportunity in the internal affairs of state government, as well as
9 in their relations with the public, including those persons and
10 organizations doing business with the commonwealth.

11 Each agency, board or division, in spending appropriated sums
12 and discharging its statutory responsibilities, shall adopt measures
13 to ensure equal opportunity in the areas of hiring, promotion,
14 demotion or transfer, recruitment, layoff or termination, rates of
15 compensation, in-service or apprenticeship training programs and
16 all terms and conditions of employment. The secretary of adminis-
17 tration and finance shall conduct an ongoing review of affirmative
18 action steps taken by various agencies, boards or divisions to
19 determine whether such agencies are complying with the intent of
20 this section. Whenever such noncompliance is determined by said
21 secretary, he shall hold a public hearing on the matter and report
22 his resulting recommendations to the head of the particular
23 agency, board or division, to the governor and to the Massachu-
24 setts commission against discrimination. Said secretary shall
25 report on the status of each agency, board or division receiving
26 monies under this act, including supplemental and deficiency bud-
27 gets, as to compliance or noncompliance with their affirmative
28 action policy to the joint committee on public service and the joint
29 committee on commerce and labor on or before December 1,
30 1997.

1 SECTION 8. The second paragraph of section 203 of chapter 6
2 of the General Laws, as appearing in the 1994 Official Edition, is
3 hereby amended by adding the following new clause:—

4 (10) to serve as an advocate and provide an articulate focus for
5 the needs of children and disseminate information to the public
6 regarding children's services and to work in collaboration with the
7 office for children, the department of public health, the depart-
8 ment of social services, the department of education and any other
9 state agency which serves the needs of children to promote the
10 development of programs and services for all children, empha-
11 sizing programs for children with special needs.

1 SECTION 9. Section 18 of chapter 6A of the General Laws, as
2 appearing in section 29 of chapter 151 of the acts of 1996, is
3 hereby amended by inserting after the words “department of
4 public safety” the following words:— ; the regional corrections
5 coordinating board.

1 SECTION 10. Section 3B of chapter 7 of the General Laws, as
2 appearing in the 1994 Official Edition, is hereby amended by
3 inserting after the word “education”, in line 42, the following
4 words:— , any fees or charges relative to the forests, parks or
5 other natural resources within the scope of the responsibility of
6 the department of environmental management, pursuant to
7 section 1 of chapter 21.

1 SECTION 11. Paragraph (b) of section 4A of chapter 7 of the
2 General Laws, as appearing in section 35 of chapter 151 of the
3 acts of 1996, is hereby amended by striking out the last sentence
4 and inserting in place thereof the following sentence:— Within
5 the human resources division shall also be the state office of affir-
6 mative action, the office of employee relations, the office of dis-
7 pute resolution and the office of workers’ compensation
8 administration.

1 SECTION 12. Section 40H of chapter 7 of the General Laws,
2 as appearing in the 1994 Official Edition, is hereby amended by
3 inserting after the word “proposals” in line 9 the following
4 words:— ; provided, however, that the commissioner shall, at the
5 time of the placement of notice of need in the central register pub-
6 lished by the state secretary, notify by letter, postage prepaid, the
7 mayor and city councilors of a city or the board of selectmen of a
8 town, of such interest in procuring real property by sale or lease in
9 such community.

1 SECTION 13. The first paragraph of section 50 of chapter 7 of
2 the General Laws, as so appearing, is hereby further amended by
3 striking out clauses (k) and (l).

1 SECTION 14. Chapter 9 of the General Laws is hereby
2 amended by adding the following six sections:—

3 **MASSACHUSETTS LAND RECORDS COMMISSION.**

4 Section 30. (a) There shall be in the department of the state
5 secretary, but not under his supervision or control, a Massachu-
6 setts land records commission, hereinafter called the commission.
7 Said commission shall consist of seven members, one of whom
8 shall be the state secretary, ex-officio, who shall serve as
9 chairman; three persons to be appointed by the governor, for a
10 term of three years, of whom one shall be a lawyer with experi-
11 ence in real estate transactions to be selected from a list of three
12 persons recommended by the Massachusetts Conveyancers Asso-
13 ciation, one shall be a registered land surveyor to be selected
14 from a list of three persons recommended by the Massachusetts
15 Association of Land Surveyors and Civil Engineers, and one shall
16 be a real estate broker licensed in the commonwealth to be
17 selected from a list of three persons recommended by the Massa-
18 chusetts Association of Realtors; and three registers of deeds to
19 be appointed at an official meeting of the Massachusetts Regis-
20 ters of Deeds Association or successor organization. Said three
21 registers appointed by said Association shall be nominated by a
22 majority of all the registers present and shall be selected so that
23 one represents each of the following regions: (1) Essex, Mid-
24 dlesex and Suffolk counties; (2) Barnstable, Bristol, Dukes, Nan-
25 tucket, Norfolk and Plymouth counties; and (3) Berkshire,
26 Franklin, Hampden, Hampshire and Worcester counties. Each of
27 said three registers shall serve as a member of the commission for
28 a term of two years, but no such register shall serve as such
29 member for more than two such terms. The initial three appoint-
30 ments of the governor shall be for terms of one, two, and three
31 years such that one term expires each year thereafter.

32 (b) The members of the commission shall be residents of the
33 commonwealth and shall serve without compensation; provided,
34 however, that each member shall be reimbursed for all necessary
35 travel and other expenses incurred by him in the discharge of his
36 official duties and approved in writing by a vote of the commis-
37 sion taken at an official meeting thereof.

38 (c) The members of the commission shall annually at their first
39 meeting on or after the first Wednesday of January elect by a
40 majority vote one of their members as vice-chairman, and shall

41 also elect a secretary, who need not be a member of the commis-
42 sion. The vice chairman shall act as chairman in the absence of
43 the chairman or in the event of a vacancy in that position.

44 (d) All meetings of the commission shall be subject to the pro-
45 visions of chapter 30A. Four members of the commission shall
46 constitute a quorum and the affirmative vote of at least three
47 members or a majority of those present, whichever is greater, shall
48 be necessary for any action taken by the commission, provided,
49 however, that the chairman alone or any three members may call a
50 meeting of said commission. Advance notice of all meetings shall
51 be given to each member of the commission and to the public in
52 accordance with said chapter 30A. No vacancy in the membership
53 of the commission shall impair the right of a quorum to exercise
54 all the rights and perform all the duties of the commission. Any
55 vacancy occurring on the commission shall be filled within 90
56 days by the respective appointing authority as provided herein.
57 Any person appointed to fill a vacancy shall serve only for the
58 unexpired term. Any member shall be eligible for reappointment
59 but only for two consecutive full terms.

60 (e) Members of the commission may be removed by the respec-
61 tive appointing authority for substantial neglect of duty, inability
62 to discharge the powers and duties of office, gross misconduct, or
63 conviction of a felony.

64 (f) A member of the commission shall cease to be a member if
65 such member resigns from office or ceases to be qualified for
66 appointment. The chairman of the commission or the vice
67 chairman of the commission acting in the absence of the
68 chairman, whichever the case may be, shall forthwith notify the
69 respective appointing authority or registers of deeds, as appro-
70 priate, of such vacancy, and said vacancy shall be filled in the
71 same manner as the original appointment for the remainder of the
72 unexpired term.

73 Section 31. (a) It shall be the primary function of the commis-
74 sion to supervise and control the registries of deeds within the
75 commonwealth. The commission shall have the authority to pro-
76 mulgate rules and regulations as may be necessary to implement
77 the provisions of this section.

78 (b) The commission is authorized to:

79 (1) adopt by-laws for the regulation of its affairs and the con-
80 duct of its business;

- 81 (2) adopt an official seal and alter the same at its pleasure;
- 82 (3) maintain an office in cooperation with the division of cap-
83 ital planning and operations, at such place or places as may be
84 necessary;
- 85 (4) enter into agreements, make and execute contracts or
86 transact business with any federal, state, or municipal agency,
87 board, department, bureau, division, office, authority, or commis-
88 sion, or private entity; provided, however, that any agreement or
89 transaction relating to the acquisition, lease, rental, transfer, or
90 disposal of real property to be used by the commission or the reg-
91 istries of deeds shall be the responsibility of the division of capital
92 planning and operations;
- 93 (5) appear in its own behalf before boards, commissions,
94 departments, bureaus, authorities or other agencies of federal,
95 state, or municipal government;
- 96 (6) accept gifts or grants, except a gift or grant which may be
97 accepted solely by the division of capital planning and operations,
98 or loans of funds or financial or other aid from any federal, state,
99 municipal, or private source;
- 100 (7) employ an executive director, who shall serve full-time, at
101 the pleasure of the commission, and fix the compensation thereof;
102 provided, however, that neither the person so employed nor the
103 position of executive director shall be classified under chapter 31
104 or have tenure by reason of section 9A of chapter 30; provided,
105 further, that any employee of the commission shall be an
106 employee of the state secretary;
- 107 (8) employ such consulting engineers, attorneys, accountants,
108 computer experts, archival and financial experts, superintendents,
109 managers, and such other employees and agents as may be neces-
110 sary in its judgment; provided however, that neither such persons
111 nor their positions shall be classified under chapter 31 or have
112 tenure by reason of section 9A of chapter 30;
- 113 (9) receive and review operating and capital budgets of the var-
114 ious registers of deeds, and submit recommendations with respect
115 thereto to the executive office for administration and finance; pro-
116 vided, however, that those provisions of said operating budgets
117 which relate to any acquisition, lease, rental, transfer, or any other
118 disposition of any real property utilized by the commission or the
119 various registries shall require the written approval of the com-
120 missioner of capital planning and operations;

121 (10) approve nominations by the state secretary to fill vacancies
122 in the office of register of deeds until the next biennial state elec-
123 tion, pursuant to section 143 of chapter 54; and

124 (11) do any and all things necessary or convenient to carry out
125 its purposes and exercise the powers expressly given and granted
126 to the commission pursuant to the provisions of this section.

127 (c) The state secretary as commission chairman shall have
128 authority, subject to the approval of the land records commission,
129 to make nominations to the governor to fill vacancies in the office
130 of register of deeds until the next biennial state elections, pursuant
131 to section 143 of chapter 54. Said secretary shall have responsi-
132 bility for the general superintendency of all registries of deeds.
133 When in the opinion of the state secretary a controversy arises in
134 any registry with respect to employment, personnel, administra-
135 tion, practice, procedure or contractual matters, the state secretary
136 shall consult with the register of deeds in whose registry the con-
137 troversy has arisen. If after such consultation the controversy
138 remains unresolved in the state secretary's opinion, he shall rec-
139 ommend a resolution to the commission, and the commission may
140 issue an order in writing to such register to resolve the contro-
141 versy in the manner set forth in the order. If the register fails
142 within seven days after receiving the order to take such action, the
143 state secretary may take such action directly and such action shall
144 be final.

145 Section 32. (a) The register of deeds of each registry district
146 shall submit to the state secretary on or before October 31 a
147 written statement of his budget estimates of revenues and expen-
148 ditures for the next fiscal year, including number and cost of per-
149 sonnel, quantities and estimated cost of supplies and equipment
150 and any other proposed expenditures, in sufficient detail to enable
151 the secretary to evaluate any increase or decrease as compared
152 with the appropriation of the then current fiscal year.

153 (b) The executive director of the commission shall likewise
154 submit to the commission on or before October 31 a written state-
155 ment of his budget estimates of expenditures for operation of the
156 commission for the next fiscal year including number and cost of
157 personnel, quantities and estimated cost of supplies and equip-
158 ment, estimated cost of interest on debt and reduction of debts,
159 centralized purchasing, group insurance, reserve funds, and capital

160 expenditures for the erection, repair, alteration, lease, purchase,
161 maintenance, and operation of registry buildings, and any other
162 proposed expenditures. Budget estimates shall be submitted in
163 such form and shall contain such additional information as the
164 commission shall prescribe.

165 (c) The state secretary, as chairman of the commission, shall
166 include, in his recommendation to the budget director pursuant to
167 sections 3 and 4 of chapter 29, the budget requests for the com-
168 mission and for each registry of deeds separately from the
169 requests for the remainder of the department of the state secretary.

170 (d) No expenses may be incurred in excess of appropriation, but
171 the general court may from time to time amend the budgets of the
172 various registries following the preparation and submission of a
173 proposed supplementary budget by the registers to the state secre-
174 tary. The general court may likewise amend the budget for opera-
175 tion of the commission following submission of a proposed
176 supplemental budget by the commission to the state secretary.

177 Section 33. The provisions of chapter 12A shall apply to the
178 commission.

179 Section 34. The commission shall keep an accurate account of
180 all its activities and of all its receipts and expenditures and shall
181 annually on the first day of September make a report thereof to its
182 members, the governor, the state secretary, the state treasurer, the
183 state auditor, the secretary of administration and finance, the
184 house and senate committees on ways and means, the house and
185 senate clerks, and the joint committee on state administration,
186 such reports to be in a form prescribed by the commission, with
187 the written approval of the state auditor. The state auditor may
188 investigate the affairs of the commission, may examine the prop-
189 erties and records of the commission, and may prescribe methods
190 of accounting and the rendering of periodical reports in relation to
191 projects undertaken by the commission.

192 Section 35. The books and records of the commission shall be
193 audited annually by the state auditor. A copy of such audit shall be
194 sent to the clerk of the house of representatives who shall forward
195 the same to the house and senate committees on ways and means
196 and the joint committee on state administration.

1 SECTION 15. Section 1 of chapter 15A of the General Laws,
2 as appearing in the 1994 Official Edition, is hereby amended by
3 inserting after the third paragraph the following new paragraph:—

4 It is hereby further declared to be the goal of the common-
5 wealth to promote: (a) access to educational opportunity for any
6 qualified resident of the commonwealth, regardless of economic
7 means, who wishes to pursue higher education; (b) quality in all
8 aspects of public higher education; (c) adequacy of total resources
9 to provide a public college or university campus with a basic level
10 of resources as a foundation to carry out the mission of the institu-
11 tion; (d) stability in state appropriations to provide the basis upon
12 which all other principles of finance can be achieved and to pro-
13 vide a reasonable expectation of a consistent flow of resources
14 from the state to the public higher education institutions; (e) pre-
15 dictability of student charges in order to provide students and par-
16 ents with some assurance that any increase in tuition and fees
17 shall occur in a way that avoids wide fluctuations from year to
18 year and to enable students and parents to plan for paying costs of
19 higher education; (f) rationality in resource distribution and
20 pricing; and (g) accountability of institutions for outcomes to
21 ensure that, as entities of the commonwealth, public colleges and
22 university campuses shall be responsible for effective manage-
23 ment and stewardship of public funds and are accountable to the
24 public and appropriating bodies in using appropriated funds to
25 advance the commonwealth's educational priorities and to achieve
26 and demonstrate measurable educational outcomes.

1 SECTION 16. Said chapter 15A is hereby further amended by
2 striking out section 15, as so appearing, and inserting in place
3 thereof the following three sections:—

4 Section 15. (a) Each of the public institutions of higher educa-
5 tion, as defined in section 5 of chapter 15A, shall be responsible
6 for determining annually the total level of resources needed for
7 the ordinary maintenance of said institution. The board of trustees
8 of each said institution shall annually prepare the estimates and
9 requests for said institution according to funding formulas which
10 shall be developed for the state and community colleges by the
11 board of higher education, hereinafter referred to as "the board,"
12 in consultation with the council of state colleges and the council

13 of community colleges and for the university by its board of
14 trustees; provided, however, that such university formula shall be
15 approved by the board of higher education not later than
16 October 1, 1997.

17 (b) Such funding formulas shall provide the basis for deter-
18 mining the total level of resources needed for the ordinary mainte-
19 nance of each institution in fiscal years 1998 through 2002. The
20 formulas shall be reviewed annually and, if necessary, updated by
21 the board for the state and community colleges in consultation
22 with the councils of state and community colleges and for the uni-
23 versity by its board of trustees, and submitted to the house and
24 senate committees on ways and means. The university shall
25 submit such updated formula to the board on or before October
26 first of the fiscal year preceding the fiscal year in which the
27 update shall become effective. The submission of any updated for-
28 mula shall be accompanied by an analysis of what changes have
29 been made and the reasons for such changes.

30 (c) Funding formulas shall be used to allocate resources equi-
31 tably from the commonwealth to each institution. Each board of
32 trustees shall submit such estimates and requests to the board.
33 Beginning in fiscal year 1998, on or before December first of each
34 fiscal year preceding the fiscal year for which the request is sub-
35 mitted, based upon the requests submitted to the board by each
36 board of trustees, the board shall submit the total level of
37 resources needed for each of the institutions to the secretary of
38 administration and finance, the state budget director, the house
39 and senate committees on ways and means, and the joint com-
40 mittee on education, arts and the humanities. The board shall
41 include in addition to the information provided by the boards of
42 trustees, all program costs which shall be borne by any source
43 other than the commonwealth, including such sources as federal
44 financing or federal research, demonstration or training grants,
45 community contributions and other grants, endowments or trusts.

46 (d) The board shall periodically submit requests for capital
47 outlay for the entire system of public institutions of higher educa-
48 tion to the secretary of administration and finance and to the
49 house and senate committees on ways and means. The board shall
50 use the estimates and requests prepared by each board of trustees
51 for the purposes of this section attaching whatever recommenda-

52 tions it may desire or deem necessary. The general court shall
53 appropriate funds for the system of public institutions of higher
54 education in various line items including, but not limited to, sepa-
55 rate appropriations, one each for the university, the state colleges,
56 the community colleges and the scholarship account. Funds appro-
57 priated for the University of Massachusetts, the state college
58 system and the community college system shall be disbursed
59 directly to each board of trustees through account "00".

60 Section 15A. Beginning in fiscal year 1998 and continuing in
61 each of the following fiscal years through fiscal year 2002, the
62 board shall calculate for each institution, based on formula budget
63 requests submitted to the board by the university and the state and
64 community colleges, the difference, hereinafter referred to as the
65 investment gap, between (1) the prior year's state and student-sup-
66 ported education and general expenditures less auxiliary enter-
67 prises, state restricted grants and contracts, and debt service,
68 hereinafter referred to as the cost of education; and (2) the total
69 level of education and general expenditures less auxiliary enter-
70 prises, state restricted grants and contracts and debt service
71 needed to fully fund the formulas prescribed for each institution,
72 hereinafter referred to as the investment budget.

73 Section 15A½. (a) After the investment gap has been calculated
74 for each institution, the board for the state and community col-
75 leges, and the board of trustees for the university, in making their
76 budget requests for the next fiscal year, shall determine the fair
77 share of the total investment gap to be borne by the common-
78 wealth, subject to appropriation, and the fair share to be borne by
79 the student in the form of tuition and non-auxiliary mandatory
80 fees; provided, however, that to fully fund the formulas by
81 June 30, 2002, beginning with fiscal year 1998 and each fiscal
82 year thereafter, for each institution with a positive investment gap,
83 subject to appropriation, the commonwealth's contribution shall
84 exceed the prior year's appropriation by not less than ten per cent
85 of the institution's investment gap, minus tuition and nonauxiliary
86 mandatory fees in order to eliminate such gap and fully fund the
87 formulas through a combination of revenues from state appropria-
88 tions and tuition and nonauxiliary mandatory fees. Subject to
89 appropriation, the commonwealth shall increase its contribution to
90 include any additions needed to fund the full annual cost of any

91 salary increases and benefits granted in a prior fiscal year pur-
92 suant to collective bargaining agreements negotiated pursuant to
93 chapter 150E.

94 (b) Beginning in fiscal year 1998, for any state college or uni-
95 versity campus in which the student share as a percentage of the
96 cost of education per student is greater than one-third or for any
97 community college in which the student share as a percentage of
98 the cost of education per student is greater than one-fourth, the
99 student share as a percentage of the cost of education shall, sub-
100 ject to appropriation, decrease in each succeeding fiscal year
101 through fiscal year 2002. The student share shall be defined as the
102 total of tuition and nonauxiliary mandatory fees per student. Sub-
103 ject to appropriation, by June 30, 2002, the student share of the
104 cost of education per student shall be not greater than one-third of
105 the investment budget per student for a student attending a state
106 college or university campus. Such share shall be the student fair
107 share ratio for the state college and university campuses. Subject
108 to appropriation, by June 30, 2002, the student share of the invest-
109 ment budget per student, referred to as the student fair share ratio
110 for the community colleges, shall be not more than one-fourth of
111 the investment budget per student for a student attending a com-
112 munity college; provided, however, that the provisions of this
113 section shall apply only to undergraduate students who are resi-
114 dents of the commonwealth as defined according to regulations
115 issued by the board pursuant to section 9 of chapter 15A of the
116 General Laws.

117 (c) Each institution shall maintain annual institutionally gener-
118 ated revenue at an amount at least equal to the amount generated
119 in the prior fiscal year, hereinafter referred to as the institution's
120 maintenance of effort. Institutionally generated revenue shall be
121 defined as total current unrestricted funds revenues, excluding
122 auxiliary enterprises and hospital operations, as defined by the
123 United States Department of Education's Integrated Post-sec-
124 ondary Education System (IPEDS), plus other investment earn-
125 ings, unrestricted gifts and income from sales and services of
126 educational activities. If an institution is unable to satisfy its
127 maintenance of effort in any fiscal year, it may be required to
128 make up such loss through a reduction in spending for such year.
129 The board, in consultation with the institutions, shall determine

130 the specific types of institutionally generated revenues to be
131 included in the annual maintenance of effort. Neither the com-
132 monwealth nor students shall be required to increase their contri-
133 butions to the ordinary maintenance of the institution to meet any
134 shortfall as a result of the institution's failure to satisfy its mainte-
135 nance of effort.

136 (d) If, in any fiscal year, the commonwealth fails to appropriate
137 state funds for either the university segment, the state college seg-
138 ment or the community college segment, a sum equal to the prior
139 year state appropriation for the university or such other segment,
140 plus inflation as determined by the higher education price index
141 adjusted by the subtraction of personnel costs from the index, plus
142 any increased costs required by collective bargaining agreements,
143 then the provisions of sections 15A and 15A½ shall be inapplic-
144 able for that fiscal year; provided, however, that any increase in
145 tuition and nonauxiliary mandatory fees shall be limited to the
146 level of tuition and nonauxiliary mandatory fees in the prior year
147 plus inflation as determined by the consumer price index.

1 SECTION 17. Said chapter 15A is hereby further amended by
2 inserting after section 16 the following section:—

3 Section 16A. Subject to appropriation, the maximum state
4 financial aid award consisting of general scholarship funds plus
5 tuition waivers for the neediest students at each community col-
6 lege, state college or the university shall be not less than the total
7 average student charge at all community colleges, at all state col-
8 leges and at the university, respectively. The state scholarship
9 office shall establish eligibility requirements for the maximum
10 state scholarship award. Once the maximum award equals the total
11 student charge at each institution, such maximum award shall be
12 increased annually at the same rate as the increase in relevant stu-
13 dent charges.

1 SECTION 17A. The second sentence of the second paragraph
2 of section 4B of chapter 19A of the General Laws, inserted by
3 section 1 of chapter 67 of the acts of 1996, is hereby amended by
4 adding the following words: — provided, however, that said
5 department shall designate at least one ASAP to be operated
6 within the Region 1A Planning and Service Area, as defined by
7 the 1994-1997 State Plan on Aging.

1 SECTION 17B. Chapter 19 of the General Laws is hereby
2 amended by inserting after section 8 the following section: —

3 Section 9A. The governor shall appoint a board of trustees for
4 each of the following state hospitals: Medfield, Taunton, Westbor-
5 ough, and Worcester. A majority of the members of each such
6 board of trustees shall be consumers and their guardians or family
7 members. Said board shall visit and familiarize itself with its state
8 hospital, and may from time to time make suggestions to the
9 department as to improvements therein, especially such as will
10 make the administration thereof more effective, economical and
11 humane. Said board shall serve without compensation, but each
12 member shall be reimbursed by the commonwealth for all
13 expenses incurred in the performance of his duties.

1 SECTION 18. The first sentence of clause (a) of the first para-
2 graph of section 3 of chapter 19C of the General Laws, as
3 appearing in the 1994 Official Edition, is hereby amended by
4 adding the following words:— ; provided, however, that the com-
5 mission shall establish written standards for the position of inves-
6 tigator and shall hire investigators whose education and training
7 qualifies them for the position pursuant to the standards estab-
8 lished by said commission; and provided further, that the commis-
9 sion shall take such steps as are necessary to ensure that the
10 conduct of each investigator meets or exceeds such standards. For
11 the purposes of determining the standards established under this
12 section, the commission shall confer with the district attorneys
13 and the attorney general.

1 SECTION 19. Section 3 of said chapter 19C, as so appearing,
2 is hereby further amended by inserting after clause (h) the
3 following clause: —

4 (i) to establish within the commission a special investigative
5 unit, which shall have sole responsibility for the initial investiga-
6 tion of all reports of abuse received by the commission in connec-
7 tion with which there is an allegation of criminal conduct. The
8 colonel of the department of state police shall assign not fewer
9 than three state police officers to the special investigative unit.

1 SECTION 20. Clause (b) of section 4 of said chapter 19C, as
2 so appearing, is hereby amended by striking out the last sentence
3 and inserting in place thereof the following two sentences: — As
4 determined by the commission, either the commission or said
5 department, subject to the oversight of the commission, shall
6 investigate such abuse as provided in section 5. In all cases where
7 a commission investigation is being conducted, the department
8 shall take reasonable steps to avoid unnecessary unwarranted or
9 counterproductive duplication between any internal investigation
10 or inquiry by the department and the commission's investigation
11 by utilizing the commission's investigation in lieu of an internal
12 investigation conducted by said department.

1 SECTION 21. Said section 4, as so appearing, is hereby further
2 amended by adding the following paragraph:—
3 Upon receipt of a report of abuse of a disabled person where
4 the screener, in accordance with written standards established by
5 the commission, determines that the report may contain allega-
6 tions of criminal conduct, the screener shall immediately refer
7 such report to the special investigative unit which shall conduct an
8 initial evaluation and investigation of the alleged criminal conduct
9 and, upon completion of such evaluation and investigation, shall
10 report the results of such evaluation and investigation to the com-
11 missioners who shall, if the special investigative unit has deter-
12 mined that there is reason to believe that a criminal offense has
13 been committed, immediately refer such report, together with any
14 relevant information obtained in such initial investigation, to the
15 attorney general or a district attorney for the county wherein the
16 alleged criminal offense occurred. Upon receipt of such report, the
17 attorney general or district attorney for the county wherein the
18 alleged criminal offense occurred shall contact the commission in
19 order to coordinate the investigation of the matters giving rise to
20 the report. As part of such coordination, the attorney general or
21 the district attorney may request that the commission delay or
22 defer its investigation of the noncriminal matters giving rise to the
23 report; provided, however, that such request shall be granted only
24 where the commission determines that the health and the safety of
25 clients of state agencies or of contract providers shall not be
26 adversely affected thereby and that the commission's or depart-

27 ment's ability to conduct a later investigation shall not be unrea-
28 sonably impaired by such delay or deferral. In all cases including,
29 but not limited to those in which the commission agrees to delay
30 or defer its investigation, the attorney general or district attorney
31 shall keep the commission informed of the status of the criminal
32 investigation and the commission shall provide to the attorney
33 general or the district attorney any and all information that may be
34 relevant to the criminal investigation. In cases in which the com-
35 mission agrees to delay or defer its investigation, it shall monitor
36 the progress of the criminal investigation and shall determine,
37 after consultation with such law enforcement agencies, when or
38 whether the commission's investigation should be initiated or
39 resumed.

1 SECTION 22. Section 7 of said chapter 19C, as so appearing,
2 is hereby amended by adding the following paragraph:—

3 (d) The courts of the commonwealth are authorized to issue
4 warrants for access to a disabled person upon application of the
5 commission or any state or local law enforcement officer, where
6 there is reasonable cause to believe that a disabled person is sub-
7 ject to abuse and access to such disabled person has been denied
8 unreasonably to the commission or such law enforcement officers
9 for the purpose of investigating the allegation of abuse.

1 SECTION 23. Section 5 of said chapter 19C, as so appearing,
2 is hereby amended by adding the following paragraph:—

3 (5) not less than 10 days prior to the issuance of a report con-
4 taining a finding that there is reason to believe that misconduct
5 has occurred, the commission shall provide written notice thereof
6 to the person or persons alleged to have committed such miscon-
7 duct and afford such person or persons the opportunity to respond
8 in writing prior to the issuance of said report; provided that, as
9 determined by the commission, such notice of misconduct will not
10 place the alleged victim at risk of further abuse.

1 SECTION 24. The definition of "Department" in section 1 of
2 chapter 21J of the General Laws, is hereby amended by striking
3 out the words "fire services", inserted by section 85 of
4 chapter 151 of the acts of 1996, and inserting in place thereof the
5 following word: — revenue.

1 SECTION 25. Section 2 of said chapter 21J, as appearing in
2 the 1994 Official Edition, is hereby amended by striking out the
3 word “department” in lines 19, 23 and 25, each time it appears,
4 and inserting in place thereof, in each instance, the following
5 word: — board.

1 SECTION 26. Said section 2 of said chapter 21J, as so
2 appearing, is hereby further amended by inserting after the word
3 “department” in lines 52 and 58, each time it appears, the
4 following words: — and the board.

1 SECTION 27. Section 4 of said chapter 21J, as so appearing,
2 is hereby amended by striking out, in line 10, the word “depart-
3 ment” and inserting in place thereof the following word: — board.

1 SECTION 27A. Said section 4 of said chapter 21J, as so
2 appearing, is hereby further amended by striking out, in line 18,
3 the words “state fire marshal or his designee” and inserting in
4 place thereof the following word: — board.

1 SECTION 28. Said section 4 of said chapter 21J, as so
2 appearing, is hereby further amended by striking out, in lines 20
3 to 24, inclusive, the words “, provided that the amount of reim-
4 bursements actually allotted during any fiscal year shall not
5 exceed the cash balance of the fund as of December thirty-first of
6 the calendar year preceding the beginning of the fiscal year in
7 question less the total of the amounts specified in subsection (b),
8 (c), and (d) of this section.”

1 SECTION 29. Subclause (A) of clause (1) of paragraph (b) of
2 section 4 of said chapter 21J, as so appearing, is hereby amended
3 by striking out subparagraphs (i), (ii) and (iii) and inserting in
4 place thereof the following 3 subparagraphs: —

5 (i) for the board, \$800,000;
6 (ii) for the department, \$200,000; and
7 (iii) for the department of fire services, underground storage
8 tank compliance, \$450,000.

1 SECTION 30. Said paragraph (b) of said section 4 of said
2 chapter 21J, as so appearing, is hereby further amended by
3 striking out clause (2).

1 SECTION 30A. Said paragraph (b) of said section 4 of said
2 chapter 21J, as so appearing, is hereby further amended by
3 striking out, in line 58, the number (3) and inserting in place
4 thereof the following number:— (2).

1 SECTION 31. Section 6 of said chapter 21J, as so appearing, is
2 hereby amended by striking out the second sentence and inserting
3 in place thereof the following new sentence:— The executive
4 director shall make payments from the fund for any claim
5 approved by a majority vote of the board members, present and
6 voting, and submitted in writing to the department.

1 SECTION 32. Section 7 of said chapter 21J, as so appearing, is
2 hereby amended by inserting after the word “department” in
3 lines 3 and 5, each time it appears, the following words: — or the
4 board.

1 SECTION 33. The first paragraph of section 8 of said
2 chapter 21J, as amended by section 86 of chapter 151 of the acts
3 of 1996, is hereby further amended by striking out the fourth to
4 sixth sentences, inclusive, and inserting in place thereof the
5 following two sentences: — The board shall be comprised of the
6 following members: the commissioner of the department of rev-
7 enue, or his designee, who shall serve as chairperson; the commis-
8 sioner of the department of environmental protection, or his
9 designee; the state fire marshal, or his designee; and six members
10 to be appointed by the governor who are knowledgeable in the
11 remediation and prevention of problems resulting from the opera-
12 tion of underground storage tanks and tank systems, one of whom
13 shall be a representative of the Massachusetts Petroleum Council,
14 one of whom shall be a representative of the Independent Oil Mar-
15 keters Association of New England, one of whom shall be a repre-
16 sentative of the New England Service Station and Automotive
17 Repair Association, one of whom shall be a representative of an
18 institution or organization engaged in the business of insurance,
19 one of whom shall be a representative of a financial institution or
20 organization and one of whom shall be a representative from a
21 statewide environmental public interest organization. Each
22 member of the board appointed by the governor shall serve a term
23 of three years.

1 SECTION 34. Said section 8, as appearing in the 1994 Official
2 Edition, is hereby further amended by adding the following para-
3 graph: —

4 The board shall appoint, and may remove, an executive
5 director, which position shall not be subject to the provisions of
6 chapter 31. The executive director may appoint and remove, from
7 time to time such experts, clerks, and other employees, which
8 positions shall be subject to the provisions of chapter 31, who
9 shall, during regular business hours, work exclusively upon mat-
10 ters pertaining to the board and the administration of the fund.
11 The executive director shall, under the direction of the board,
12 have charge of, direct and supervise all matters relative to the fund
13 and to the business of the board, shall carry out the policies pro-
14 mulgated from time to time by the board and shall perform such
15 other duties as the board shall direct.

1 SECTION 35. Section 10 of said chapter 21J, as so appearing,
2 is hereby amended by striking out, in line 4, the words “state fire
3 marshal”, and inserting in place thereof the following word: —
4 board.

1 SECTION 36. Section 12 of said chapter 21J, as so appearing,
2 is hereby amended by inserting after the word “department” in
3 lines 3, 4 and 12, each time it appears, the following words: — or
4 board.

1 SECTION 37. Section 14 of said chapter 21J, as so appearing,
2 is hereby amended by inserting after the word “department”, in
3 line 2, the following words:— or board.

1 SECTION 38. Section 4 of chapter 28A of the General Laws,
2 as so appearing, is hereby amended by striking out, in lines 2
3 and 3, the words “serve as an advocate and provide an articulate
4 focus for the needs of children and”.

1 SECTION 39. Chapter 29 of the General Laws, is hereby
2 amended by inserting after section 2II the following six sec-
3 tions:—

4 Section 2JJ. There shall be established and set up on the books
5 of the commonwealth a separate fund to be known as the Registry

6 of Deeds Improvement Fund, to which shall be credited amounts
7 appropriated by law. Such funds may be expended, subject to
8 appropriation, for the purpose of implementing, improving or
9 updating automated systems, communications equipment, soft-
10 ware and other systems in registries of deeds.

11 Section 2KK. There shall be established and set up on the
12 books of the commonwealth a separate fund to be known as the
13 Regional Services Fund. There shall be credited to said fund
14 annually on July 1, \$5,000,000 from the revenues collected pur-
15 suant to chapter 64D. The secretary of administration and finance
16 shall make grants from said fund without further appropriation for
17 regional services to regional councils of government established
18 pursuant to chapter 40Q.

19 Section 2LL. There shall be established and set up on the books
20 of the commonwealth a separate fund to be known as the Transi-
21 tional Aid to Needy Families Fund. There shall be credited to said
22 fund all federal revenues and reimbursements pursuant to the Per-
23 sonal Responsibility and Work Opportunity Reconciliation Act of
24 1996 or any successor federal statute. Amounts credited to said
25 fund shall be available for expenditure subject to appropriation.

26 Section 2MM. There shall be established and set up on the
27 books of the commonwealth a separate fund to be known as the
28 Child Care Fund. There shall be credited to said fund all federal
29 revenues and reimbursements pursuant to the Child Care and
30 Development Fund or any successor federal fund, all revenues
31 directed to said fund by provision of a general appropriation act or
32 any supplemental or deficiency appropriation act, and \$2,000,000
33 carried forward from the unexpended balance of the Child Care
34 and Development Block Grants of prior fiscal years. Amounts
35 credited to said fund shall be available for expenditure subject to
36 appropriation.

37 Section 2NN. There shall be established and set up on the
38 books of the commonwealth a separate fund to be known as the
39 Social Services Program Fund. There shall be credited to said
40 fund all federal revenues and reimbursements pursuant to the Title
41 XX Social Services Block Grant or any successor federal fund and
42 all revenue directed to said fund by provision of a general appro-
43 priation act or any supplemental or deficiency appropriation act.
44 Amounts credited to said fund shall be available for expenditure
45 subject to appropriation.

46 Section 20O. There shall be established and set up on the
47 books of the commonwealth a separate fund to be known as the
48 Caseload Increase Mitigation Fund. There shall be credited to said
49 fund all revenues or other financing sources directed to said fund
50 by provision of a general appropriation act or any supplemental
51 appropriation act. Amounts credited to said fund shall be available
52 for expenditure, subject to appropriation, only in the event that
53 caseloads in the programs funded pursuant to the provisions of
54 chapter one hundred eighteen of the General Laws exceed the
55 levels appropriated for such accounts in the general appropriation
56 act or supplemental appropriation acts or to the extent that such
57 caseloads are projected to exceed the average caseload in the pre-
58 vious fiscal year. No funds shall be expended or withdrawn from
59 said fund without the explicit approval of the general court in the
60 general appropriation act or a supplemental appropriation act.

1 SECTION 40. Section 5B of said chapter 29, as so appearing,
2 is hereby amended by striking out, in lines 38 to 40, inclusive, the
3 words “with the advice of the advisory board on revenue
4 resources and the state economy established under the provisions
5 of section thirty-seven A of chapter seven,”.

1 SECTION 41. Section 29 of said chapter 29, as so appearing,
2 is hereby amended by inserting after the word “such”, in line 5,
3 the following word:— scheduled.

1 SECTION 42. The first paragraph of said section 29 of said
2 chapter 29, as so appearing, is hereby amended by adding the
3 following sentence:— Under no circumstance shall such an inter-
4 change be allowed if, in the opinion of the budget director, such
5 interchange is projected to result in a deficiency in such appropri-
6 ation or subsidiary account and a plan to remedy such deficiency
7 has not been adopted by said department, office, commission or
8 institution with the approval of the budget director.

1 SECTION 43. Chapter 30 of the General Laws, as so
2 appearing, is hereby amended by inserting after section 46H the
3 following section:—

4 Section 46I. The personnel administrator shall have the
5 following duties and responsibilities in addition to those pre-

6 scribed by law: developing and maintaining information con-
7 cerning occupational injuries sustained by employees entitled to
8 compensation under the provisions of section 69 of chapter 152
9 and concerning persons who have applied for or who have been
10 granted disability benefits under the provisions of chapter 32 and
11 requiring reports from the workers' compensation agents and from
12 the retirement boards; and certifying agreements for compensation
13 for the payment of medical or other expenses or fees to or on
14 behalf of injured employees of the commonwealth. No such com-
15 pensation shall be paid without such certification.

1 SECTION 44. The definition of "Employee" in section 1 of
2 chapter 32 of the General Laws, as appearing in the 1994 Official
3 Edition, is hereby amended by adding the following two sen-
4 tences:— "Employee", as applied to persons whose regular com-
5 pensation is paid from an account established by the state
6 treasurer for the sheriff's process office pursuant to section 23A of
7 chapter 37, shall mean any person who is appointed by the sheriff
8 as a full-time salaried deputy sheriff or employee of the sheriff's
9 process office and who is engaged in duties which require that his
10 time be devoted to the service of the sheriff's process office in
11 each year during the ordinary working hours of regular and per-
12 manent employees, and who is regularly and permanently
13 employed in such service and receives a salary or hourly wage.
14 No deputy serving process solely on a commission basis shall be
15 considered an employee.

1 SECTION 45. Section 2 of said chapter 32, as so appearing, is
2 hereby amended by striking out, in lines 21 and 22, the words "a
3 register of probate shall be included in the system of the county in
4 which he is elected,".

1 SECTION 46. Clause (vi) of paragraph (a) of subdivision (2)
2 of section 3 of said chapter 32, as so appearing, is hereby
3 amended by adding the following words:— provided further, that
4 an elected official whose position is abolished during his incum-
5 bency and by law is appointed to another position shall remain a
6 member, and such official who did not file an application for
7 membership within 90 days after assuming the duties of his

8 elected position may become a member by filing with the board
9 on a prescribed form a written application within ninety days after
10 assuming the duties of such appointed position;.

1 SECTION 47. Paragraph (q) of subdivision (1) of section 4 of
2 said chapter 32, as so appearing, is hereby amended by striking
3 out, in lines 256 and 257, the words “, subject to the approval of
4 the county commissioners”.

1 SECTION 48. Said section 4 of said chapter 32 is hereby fur-
2 ther amended by striking out, in lines 336 and 337, as so
3 appearing, the words “and by acceptance by the county commis-
4 sioners of said county”.

1 SECTION 49. Said section 4 of said chapter 32 is hereby fur-
2 ther amended by striking out, in lines 340 and 341, as so
3 appearing, the words “and by acceptance of the county commis-
4 sioners of said county”.

1 SECTION 50. Subdivision (4) of section 7 of said chapter 32,
2 as so appearing, is hereby amended by striking out, in line 188,
3 the words “, the county commissioners in a county”.

1 SECTION 51. Section 15 of said chapter 32, as so appearing,
2 is hereby amended by striking out, in line 20, the words “or in a
3 county by the county commissioners,”.

1 SECTION 52. Paragraph (b) of subdivision (3) of section 20 of
2 said chapter 32 is hereby amended by striking out the first para-
3 graph, as appearing in section 6A of chapter 427 of the acts of
4 1996, and inserting in place thereof the following paragraph:—

5 (b) Each county system shall be managed by a retirement board
6 which shall have the general powers and duties set forth in subdi-
7 vision (5). Said board shall consist of five members as follows:
8 two members who shall be members of the county retirement
9 board advisory council selected by a majority of those present and
10 voting at a public meeting of said council, properly posted, called
11 specifically for such election pursuant to paragraph (g); two mem-
12 bers hereinafter referred to as the elected members chosen in

13 accordance with the provisions of paragraph (h); and a fifth
14 member who shall be chosen by the other four members for a term
15 of four years, and who shall serve as chairman. If the fifth
16 member is not chosen by the other four members within 30 days
17 after the expiration of the term of the fifth member, said member
18 shall be appointed by the public employee retirement administra-
19 tion commission. The elected members shall be active or retired
20 members of the county retirement system. Each member of the
21 board shall continue to serve in office until the expiration of his
22 term, and the qualification of his successor. Upon the expiration
23 of the term of office of any elected or appointed member, or in the
24 event of a vacancy in any such office, his successor shall be
25 elected as aforesaid for a term of three years, or for the unexpired
26 portion thereof.

1 SECTION 53. Said subdivision (3) of said section 20 of said
2 chapter 32 is hereby further amended by striking out
3 paragraph (c), as appearing in the 1994 Official Edition, and
4 inserting in place thereof the following paragraph:—

5 (c) The members of the board of any such county system shall
6 serve without compensation, except as allowed under
7 subdivision (6), but they shall be reimbursed for any expense or
8 loss of salary or wages which they may incur through service on
9 such board from the expense fund of the system. Nothing in this
10 paragraph shall prevent any chairman of a county retirement board
11 from being compensated for services rendered in the active
12 administration of the system in his capacity as treasurer custodian,
13 as provided in paragraph (f), but not as a member of the board,
14 provided, that such compensation shall not exceed the compensa-
15 tion of the county treasurer, including stipends and other autho-
16 rized payments for services, in calendar year 1996.

1 SECTION 54. Said subdivision (3) of said section 20 of said
2 chapter 32 is hereby further amended by striking out
3 paragraph (d), as so appearing, and inserting in place thereof the
4 following paragraph:—

5 (d) The retirement board shall employ such clerical and other
6 assistants as may be required to transact the business of the county
7 retirement system. All permanent employees employed pursuant

8 to this paragraph shall be members of the county retirement
9 system, but except for the chairman shall not be eligible to be a
10 member or candidate for election to the county retirement board.

1 SECTION 55. Said subdivision (3) of said section 20 of
2 chapter 32 is hereby further amended by striking out paragraphs
3 (f) and (g), as so appearing, and inserting in place thereof the
4 following two paragraphs:—

5 (f) The board of any such county system and the chairman of
6 such board shall act as the board and treasurer-custodian of such
7 system with respect to the employees of any town or district who
8 became members of such system as provided for in paragraph
9 (3)(b), (3)(c), or (4)(b) of section 28, or who have become mem-
10 bers thereof under corresponding provisions of earlier laws. The
11 treasurer or other disbursing officer of any such town or district,
12 as the case may be, shall act as liaison officer between the
13 employees thereof and the board of such system.

14 (g) There shall be a county retirement board advisory council,
15 in this subdivision called the council, consisting of all the trea-
16 surers, elected or appointed, of each town, unit, or district
17 belonging to the county retirement system. A chairman shall be
18 elected from among the members. The council shall meet at the
19 call of the chairman, but in no event less than twice in each year.
20 The council shall supervise and certify the procedures involved in
21 the election of the elected members of the county retirement
22 board, as provided for in paragraphs (b) and (h). Upon certifica-
23 tion by the county retirement board and the council, the actuary of
24 the division of insurance shall be furnished with an estimate of the
25 expenses and costs of administration of the system for the ensuing
26 year. The actuary shall, on or before December 15 in each year,
27 specify by written notice to the council and the board the amounts
28 so required to be paid from the pension fund, the annuity reserve
29 fund, the military service fund, and the administration fund, as
30 provided in subdivision (7) of section 22. The actuary shall also
31 advise and determine the amounts to be allocated to each govern-
32 mental unit for the aforesaid amounts. The county retirement
33 board advisory council, at a meeting called specifically for that
34 purpose, shall elect one of its members as a member of the county
35 retirement board at the expiration of the current appointed mem-
36 ber's term, as provided in paragraph (b).

1 SECTION 56. Paragraph (h) of subdivision (3) of said
2 section 20 of said chapter 32, as so appearing, is hereby further
3 amended by striking out, in line 130, the words “county treasurer”
4 and inserting in place thereof the following words:— chairman of
5 the county retirement board.

1 SECTION 57. Paragraph (i) of subdivision (5) of said
2 section 20 of said chapter 32, as so appearing, is hereby amended
3 by striking out, in line 747, the word “commissioners” and
4 inserting in place thereof the following words:— retirement board
5 advisory council.

1 SECTION 58. Section 21 of said chapter 32 is hereby amended
2 by striking out, in line 76, as so appearing, the word “commis-
3 sioners” and inserting in place thereof the following words:—
4 retirement board advisory council.

1 SECTION 59. Subdivision (2) of said section 21 of said
2 chapter 32, as amended by section 34 of chapter 306 of the acts of
3 1996, is hereby further amended by striking out the second sen-
4 tence and inserting in place thereof the following sentence:—
5 Each county contributory retirement system shall reimburse the
6 commonwealth for such proportion of such expenses attributable
7 to such system as shall be determined just and proper by the com-
8 mission and assessed thereon by the state treasurer.

1 SECTION 60. Paragraph (j) of subdivision (1) of section 22 of
2 said chapter 32, as appearing in the 1994 Official Edition, is
3 hereby amended by striking out, in line 237, the words “county
4 treasurer” and inserting in place thereof the following words:—
5 chairman of the county retirement board.

1 SECTION 61. Said paragraph (c) of said subdivision (7) of
2 said section 22 of said chapter 32 is hereby amended by striking
3 out clause (ii), as appearing in the 1994 Official Edition, and
4 inserting in place thereof the following clause:—

5 (ii) The board of each such county contributory retirement
6 system shall, on or before January first next following receipt of
7 such notice from the actuary, certify to the board of selectmen of

8 each town and the treasurer or other disbursing officer of each dis-
9 trict the employees of which are in either case members of such
10 system, the amounts which have been allocated to such city, town
11 or district and the amounts so certified shall be appropriated and
12 paid thereby to the treasurer-custodian of such system to be cred-
13 ited to the several funds thereof. Payments by towns and districts
14 hereunder shall be made one-half on the first day of July next
15 following and the remainder on the first day of the following
16 January.

1 SECTION 62. Said section 22 of said chapter 32 is hereby fur-
2 ther amended by striking out, in line 1118, as so appearing, the
3 words “advisory board” and inserting in place thereof the
4 following words:— retirement board advisory council.

1 SECTION 63. Said section 22 of said chapter 32 is hereby fur-
2 ther amended by striking out, in lines 1123 and 1124, the words
3 “municipality with a council form of government, the town man-
4 ager and the county commissioners in a county” and inserting in
5 place thereof the following words:— and in a municipality with a
6 town council form of government, the town manager.

1 SECTION 64. Section 22C of said chapter 32, as so appearing,
2 is hereby amended by striking out, in lines 6 to 10, the words “that
3 no such funding schedule shall be adopted which would set forth
4 total annual payments in any of its first ten fiscal years which are
5 less in any such year than the total estimated cost of benefits to be
6 paid in such year for such system or for such other assumed liabil-
7 ities, provided, further”.

1 SECTION 65. Said section 22C of said chapter 32, as so
2 appearing, is hereby further amended by striking out, in lines 57
3 and 58, the word “twenty-eight” and inserting in place thereof the
4 following word:— eighteen.

1 SECTION 66. Section 22D of said chapter 32 is hereby
2 amended by striking out, in lines 39 and 40, as so appearing, the
3 words “, the county commissioners on behalf of the county,”.

1 SECTION 67. Paragraph (a) of subdivision (2) of section 23 of
2 said chapter 32 of the General Laws, as so appearing, is hereby
3 amended by striking out, in line 103, the word “county” and
4 inserting in place thereof the following words:— chairman of the
5 county retirement board, the.

1 SECTION 68. Section 24 of said chapter 32 is hereby amended
2 by striking out, in line 8, as so appearing, the word “commis-
3 sioners” and inserting in place thereof the following words:—
4 retirement board advisory council.

1 SECTION 69. Paragraph (a) of subdivision (4) of section 28 of
2 said chapter 32, as amended by section 41 of chapter 306 of the
3 acts of 1996, is hereby further amended by striking out, in the
4 fourth sentence, the words “county commissioners” and inserting
5 in place thereof the following words:— county retirement board
6 advisory council.

1 SECTION 70. Paragraph (a) of subdivision (5) of said
2 section 28 of said chapter 32, as amended by said section 41 of
3 said chapter 306, is hereby further amended by striking out, in the
4 fourth sentence, the words “county commissioners” and inserting
5 in place thereof the following words:— county retirement board
6 advisory council.

1 SECTION 71. Section 46 of said chapter 32, as appearing in
2 the 1994 Official Edition, is hereby amended by striking out, in
3 lines 14 to 18, the words “and county commissioners of the
4 county, except in the county of Suffolk, where the recommenda-
5 tions as to the officers of the jail shall be made by the sheriff and
6 the mayor of Boston, and, as to the officers of the house of correc-
7 tion, by the penal institutions commissioner and the mayor of
8 Boston.”

1 SECTION 72. Section 89A of said chapter 32, as so appearing,
2 is hereby amended by striking out, in line 82, the words “commis-
3 sioners thereof” and inserting in place thereof the following
4 words:— retirement board advisory council.

1 SECTION 73. Section 90G³/₄ of said chapter 32 is hereby
2 amended by striking out, in line 18, as so appearing, the word
3 “commissioners” and inserting in place thereof the following
4 words:— retirement board advisory council.

1 SECTION 74. Section 90J of said chapter 32, as so appearing,
2 is hereby amended by striking out, in line 12, the words “commis-
3 sioners” and inserting in place thereof the following words:—
4 retirement board advisory council.

1 SECTION 75. Section 91 of said chapter 32 is hereby amended
2 by striking out, in lines 105 and 106, as so appearing, the words
3 “, in the case of a county employee, by the board of county com-
4 missioners”.

1 SECTION 76. Section 95A of said chapter 32, as so appearing,
2 is hereby amended by striking out, in line 30, the word “commis-
3 sioners” and inserting in place thereof the following words:—
4 retirement board advisory council.

1 SECTION 77. Section 95B of said chapter 32, as so appearing,
2 is hereby amended by striking out, in line 30, the word “commis-
3 sioners” and inserting in place thereof the following words:—
4 retirement board advisory council.

1 SECTION 78. Section 97 of said chapter 32, as so appearing,
2 is hereby amended by striking out, in lines 9 and 10, the word
3 “commissioners” and inserting in place thereof the following
4 words:—retirement board advisory council.

1 SECTION 79. Section 99 of said chapter 32, as so appearing,
2 is hereby amended by striking out, in line 11, the words “commis-
3 sioners” and inserting in place thereof the following words:—
4 retirement board advisory council.

1 SECTION 80. Chapters thirty-four and thirty-four A and sec-
2 tions one to twenty-one, inclusive, sections twenty-three A to
3 forty-four, inclusive, and sections forty-eight to fifty-seven A,
4 inclusive, of chapter thirty-five of the General Laws are hereby
5 repealed.

1 SECTION 81. Chapter 36 of the General Laws is hereby
2 amended by striking out section 3, as appearing in the 1994 Offi-
3 cial Edition, and inserting in place thereof the following two
4 sections:—

5 Section 3. Each register of deeds shall be sworn, and prior to
6 being sworn, and thereafter, at intervals of not more than one year,
7 so long as he continues to hold such office, shall give bond to the
8 Massachusetts land records commission, in this chapter called the
9 commission, in such sum as the commission shall approve, condi-
10 tioned to perform faithfully his own official duties, with a surety
11 company authorized to transact business in the commonwealth, as
12 surety.

13 Section 3A. (a) Registers of deeds shall be employees of the
14 commonwealth, within the department of the state secretary. The
15 registers of deeds shall have administrative control of the reg-
16 istries of deeds and shall make all personnel decisions subject to
17 the provisions of all laws, rules and regulations of the common-
18 wealth, and subject to subsection (c) of section 31 of chapter 9.

19 (b) The registers of deeds may appoint assistants pursuant to
20 this chapter and section 10A of chapter 185; and may further
21 appoint employees to the extent positions are approved by said
22 commission in the operating budgets of the various registries of
23 deeds; provided, however, no such employees or positions shall be
24 classified under chapter 31 or have tenure by reason of section 9A
25 of chapter 30. Any person appointed by the register for Suffolk
26 county who has served continuously in any position in the registry
27 of deeds in said county for a period of twenty years or more
28 before December thirty-first, nineteen hundred and ninety-six,
29 shall not be removed except for cause.

30 (c) An employee of a registry of deeds shall be an “employee”
31 or “public employee” within the meaning of section 1 of chap-
32 ter 150E, and the register shall be the “employer” or “public
33 employer” within the meaning of said section 1, subject to subsec-
34 tion (c) of section 31 of chapter 9. A collective bargaining agree-
35 ment negotiated by a register shall be submitted to the governor in
36 conformity with the provisions of subsection (c) of section 7 of
37 chapter 150E.

38 (d) The commission shall not judge the appropriateness of
39 instruments and plans for recording and filing, which judgment
40 shall remain the duty of the registers, the recorders, and such
41 deputies as have by them been so designated.

1 SECTION 82. Section 4 of said chapter 36, as so appearing, is
2 hereby amended by striking out, in line 1, the words “superior
3 court” and inserting in place thereof the following word:— com-
4 mission.

1 SECTION 83. Section 6 of said chapter 36, as so appearing, is
2 hereby amended by striking out, in lines 2 and 3, the words “their
3 respective county commissioners” and inserting in place thereof
4 the following words:— the commission.

1 SECTION 84. Section 8 of said chapter 36, as so appearing, is
2 hereby amended by striking out, in lines 5 and 6, the words
3 “county commissioners, or in Suffolk county the superior court”
4 and inserting in place thereof the following words:— state secre-
5 tary with the approval of the commission.

1 SECTION 85. Section 9 of said chapter 36, as so appearing, is
2 hereby amended by striking out, in line 4, the words “county com-
3 missioners, or in Suffolk county the superior court” and inserting
4 in place thereof the following words:— state secretary with the
5 approval of the commission.

1 SECTION 86. Section 11 of said chapter 36, as so appearing,
2 is hereby amended by striking out; in line 9, the words “county
3 commissioners” and inserting in place thereof the following
4 word:— commission.

1 SECTION 87. Said chapter 36 is hereby further amended by
2 striking out section 13A, as so appearing, and inserting in place
3 thereof the following section:—

4 Section 13A. The commission may from time to time make and
5 amend rules prescribing the size or sizes of plans which shall be
6 received for record in registries of deeds in which copies of such
7 rules are posted as hereinafter provided, the material on which the
8 plans shall be made, and other requirements which will best effect
9 the preservation for reference of the matter shown on such plans.
10 The register shall cause a copy of such rules to be posted in the
11 registries of deeds, and after the expiration of thirty days from
12 such posting, no plan that does not, in the opinion of the register,
13 conform to such rules shall be received for record therein.

1 SECTION 88. Section 18 of said chapter 36, as so appearing,
2 is hereby amended by striking out, in line 1, the word “He” and
3 inserting in place thereof the following words:— The register or
4 other person duly authorized.

1 SECTION 89. Section 28 of said chapter 36, as so appearing,
2 is hereby amended by striking out, in lines 1 and 2, the words “, at
3 the expense of the county,”.

1 SECTION 90. Said chapter 36 is hereby further amended by
2 striking out section 29, as so appearing, and inserting in place
3 thereof the following section:—

4 Section 29. A register may, with the consent of the commission,
5 cause a competent person to make copies of the indexes or new
6 indexes to the records, or of any part thereof. Such copies may be
7 printed and sold at a price not less than the cost of printing, paper
8 and binding.

1 SECTION 91. Section thirty of said chapter thirty-six is hereby
2 repealed.

1 SECTION 92. Section 33 of said chapter 36 is hereby further
2 amended by striking out, in line 2, the words “their respective
3 counties” and inserting in place thereof the following words:—the
4 commonwealth.

1 SECTION 93. Section thirty-eight of said chapter thirty-six is
2 hereby repealed.

1 SECTION 94. Said chapter 36 is hereby further amended by
2 striking out section 39, as so appearing, and inserting in place
3 thereof the following two sections:—

4 Section 38A. No register or assistant register or other employee
5 of a registry of deeds shall engage in any private business during
6 normal business hours.

7 Section 39. All monies received by a registry of deeds shall be
8 recorded in a cash book, and shall be paid over to the treasurer of
9 the commonwealth in the manner and at the times specified by the
10 treasurer.

1 SECTION 95. Chapter 37 of the General Laws is hereby
2 amended by inserting after section 3 the following two sections:—

3 Section 3A. (a) The sheriff shall establish a process office, and
4 shall assign deputies appointed pursuant to section three who,
5 along with the sheriff, shall serve and execute within their coun-
6 ties all precepts lawfully issued to them, and all other process
7 required by law to be served by an officer. They may serve
8 process in cases wherein a county, city, town, parish, religious
9 society or fire or other district is a party or interested, although
10 they are inhabitants or members thereof. The sheriff may also
11 appoint employees to work in the sheriff's process office. All
12 deputies and employees of the process office shall serve at the
13 pleasure of the sheriff.

14 (b) Full-time deputies and other employees of the process office
15 shall be state employees for purposes of chapters 32, 32A, 152,
16 152B, 258, 268A, and 268B, and shall be compensated in accor-
17 dance with this subsection and subsection (c). No deputies serving
18 process on a commission basis shall be eligible for any benefits
19 which state employees have.

20 (c) The sheriff shall determine the hours and duties of each
21 deputy and employee of the process office, and shall determine
22 the salary, hourly wage, or commission received by each deputy
23 and employee of the process office, subject to the following limi-
24 tations:

25 (1) No sheriff, deputy, or employee shall be paid a commission,
26 or any portion of any fee, for service of process during hours for
27 which the sheriff, deputy or employee is being compensated by
28 federal, state, county or municipal funds;

29 (2) No sheriff, deputy or employee who receives a salary or
30 hourly wage from the process office account shall also receive a
31 commission or any portion of any fee for service of process;

32 (3) Full-time deputies and employees may receive only a salary
33 or hourly wage, and shall at no time receive a commission, or any
34 portion of any fee, for service of process;

35 (4) The annual salary, hourly wage, commissions, or any por-
36 tion of any fees for service of process, of any individual deputy or
37 employee shall not exceed the annual salary of the sheriff;

38 (5) Notwithstanding the provisions of paragraphs (1), (2), (3)
39 and (4), the sheriff of Nantucket county and any of his deputies
40 may receive both a salary and commissions for service of process.

41 Section 3B. No sheriff, deputy, or employee, nor any other indi-
42 vidual, shall have or acquire any legal right whatsoever to the tan-
43 gible or intangible property of the process office, nor in any
44 revenue derived from fees collected from the service of process or
45 any proceeds from the sale of property within the process office,
46 other than any compensation as determined under this chapter.
47 All fees derived from service of process shall, except as otherwise
48 provided in this chapter, be used solely for the operations of the
49 process office, and all tangible and intangible property shall
50 belong to the commonwealth and shall be under the sole posses-
51 sion and control of the sheriff.

1 SECTION 96. Said chapter 37 is hereby further amended by
2 striking out section 11, as appearing in the 1994 Official Edition,
3 and inserting in place thereof the following section:—

4 Section 11. (a) All process received for service by the sheriff's
5 process office shall, whenever such information becomes avail-
6 able, be recorded in a system established by the sheriff which
7 shall include but not be limited to the following information, to
8 the extent available, for each process served:

9 (1) the title of the action, including court name and docket
10 number;

11 (2) the date the process was issued or required to be served;

12 (3) the type of process;

13 (4) the name and address of the person requesting that process
14 be served;

15 (5) the name and address of the person or location upon which
16 service is to be made;

17 (6) the fee charged;

18 (7) the date of billing to collect the fee;

19 (8) the date of fee collected;

20 (9) the date service was made;

21 (10) the manner of service; and,

22 (11) the name of the person performing service.

23 (b) A summary of the information required by subsection (a)
24 shall be compiled by the sheriff on a monthly basis and forwarded
25 to the state treasurer, and shall be compiled by the sheriff on an
26 annual basis and forwarded as part of the annual report to be filed
27 in accordance with section 8A of chapter 262. Unless specifically

28 exempted, the information shall also be considered public records
29 and shall be made available pursuant to section ten of chapter 66.

30 (c) Administrative costs associated with the recording of infor-
31 mation prescribed under subsection (a) and prepared under sub-
32 section (b), including expenditures for personnel or the purchase
33 of equipment required to perform the recording of information,
34 shall be paid from the process account established for the opera-
35 tion of the sheriff's office.

1 SECTION 97. Said chapter 37 is hereby further amended by
2 striking out section 14, as so appearing, and inserting in place
3 thereof the following section:—

4 Section 14. Upon the removal of a deputy sheriff by the sheriff,
5 the removed deputy shall immediately at the time of removal
6 return to the sheriff's process office all process and other docu-
7 ments received or in his possession, along with any fees collected.
8 The sheriff shall notify the district attorney of any failure of a
9 deputy or a former deputy to comply with the terms of this section
10 and the district attorney may institute a civil action to enforce the
11 terms of this section.

1 SECTION 98. Section 16 of said chapter 37, as so appearing, is
2 hereby amended by striking out, in lines 3 and 4, the words “, and
3 when required, meetings of the county commissioners”.

1 SECTION 99. Section 17 of said chapter 37, as so appearing, is
2 hereby amended by striking out in lines 1 and 2, the words “their
3 respective counties,” and inserting in place thereof the following
4 words:— the commonwealth.

1 SECTION 100. Chapter 37 of the General Laws is hereby
2 amended by striking section 21 and inserting in place thereof the
3 following:—

4 Section 21. The sheriff of each county shall be entitled to
5 receive from the commonwealth his actual traveling expenses
6 incurred in the performance of his official duties, exclusive of
7 expenses incurred in the transportation of persons pursuant to
8 section 24.

1 SECTION 101. Section 22 of said chapter 37, as so appearing,
2 is hereby amended by striking out, in line 3, the word “county”
3 and inserting in place thereof the following word:— state.

1 SECTION 102. Chapter 37 is hereby further amended by
2 inserting after section 22 the following two sections:—

3 Section 23A. (a) Notwithstanding the provisions of section 22,
4 except as otherwise provided in this section, all fees and other
5 revenues collected by the process office shall be deposited by the
6 process office in an account established by the state treasurer for
7 the sheriff’s process office. Said account shall be kept separate
8 from other state funds, and shall be used only for the operation of
9 the process office. Expenditures shall be made by the sheriff
10 without appropriation. Except in Nantucket county, the account
11 shall at no time receive any funds from any federal, state, county
12 or municipal government, except in connection with payment for
13 services rendered or to be rendered for service of process, or
14 receipt of any earmarked grant funds from a federal, state county,
15 or municipal agency.

16 (b) Payroll and all other bills of the process office shall be paid
17 by the state treasurer from the account established under subsec-
18 tion (a), upon presentation of a warrant by the sheriff. The state
19 treasurer shall deduct contributions from the paychecks issued to
20 deputy sheriffs and employees of the sheriff’s process office who
21 are members in service of the state retirement system. The
22 amounts deducted shall be determined in accordance with the pro-
23 visions of chapter 32 and any other rules and regulations promul-
24 gated thereunder.

25 (d) The state treasurer shall deduct premiums from the pay-
26 checks of deputy sheriffs and employees of the sheriff’s process
27 office who are insured under chapter 32. The amounts deducted
28 shall be determined in accordance with the provisions of those
29 chapters and any other rules and regulations promulgated there-
30 under.

31 (e) The sheriff, except the sheriff of Nantucket county, shall
32 annually, on or before the seventy-fifth day after the close of the
33 fiscal year, issue a warrant to the state treasurer to transfer any
34 surplus from the sheriff’s process account to an account estab-
35 lished for the operations and maintenance of a county jail or house

36 of correction or other statutorily authorized functions of the
37 sheriff.

38 (f) The process office may maintain an account or accounts in a
39 duly authorized financial institution, including an “escrow
40 account,” so-called, in its own name to be used to hold funds for
41 payment by the process office of fees and expenses in connection
42 with service of process and for the holding of funds paid over to
43 the office as may be reasonably necessary in the ordinary course
44 of business.

45 (g) No monies held in any process account shall be used for
46 payment of liability expenses incurred by the commonwealth pur-
47 suant to chapter 258, nor for payments to employees pursuant to
48 chapter 152. Any judgment, settlement or attorneys fees incurred
49 as a result of litigation concerning the process office shall be paid
50 in accordance with the provisions of chapter 258, in the same
51 manner as any other claim, judgment, settlement or attorneys fees
52 paid by the sheriff’s office.

53 Section 23B. A full-time salaried deputy sheriff in the sheriff’s
54 process office who, while in the performance of duty attempting
55 to serve process, receives bodily injuries resulting from acts of
56 violence of defendants or others who are in any way connected
57 with the proceedings for which service of process was attempted,
58 shall be paid, in addition to the benefits of said chapter 152, the
59 difference between the weekly cash benefits to which he is enti-
60 tled under said chapter 152 and his regular salary, without such
61 absence being charged against available sick leave credits, even if
62 such absence may be for less than eight calendar days duration.

1 SECTION 103. Section twenty-five of said chapter thirty-
2 seven is hereby repealed.

1 SECTION 104. Said chapter 37 is hereby further amended by
2 adding the following section:—

3 Section 26. (a) (1) There shall be within the executive office of
4 public safety a regional corrections coordinating board, in this
5 section called the board. Sheriffs shall be employees of the com-
6 monwealth, but shall remain elected officials with administrative
7 control of the jails and houses of correction, under the supervision
8 of the board and the general direction of the secretary of public
9 safety.

10 (2) The board shall consist of the secretary of public safety,
11 who shall chair the board, the commissioner of correction, and
12 three sheriffs to be chosen by the several sheriffs for a term of two
13 years; provided, however, that one sheriff shall represent each of
14 the following regions: (1) Essex, Middlesex and Suffolk counties;
15 (2) Barnstable, Bristol, Dukes, Nantucket, Norfolk and Plymouth
16 counties; and (3) Berkshire, Franklin, Hampden, Hampshire and
17 Worcester counties; provided further, that whenever possible,
18 appointments of sheriffs to the board shall be made so that not
19 more than two sheriffs during the same term shall be members of
20 the same political party. The board shall establish uniform policies
21 for managing the jails and houses of correction.

22 (3) The members of the board shall serve without compensa-
23 tion, provided, however, that each member who is a sheriff shall
24 be reimbursed for all necessary travel and other expenses incurred
25 by him in the discharge of his official duties and approved in
26 writing by a vote of the board taken at an official meeting thereof.

27 (4) The members of the board shall annually at their first
28 meeting on or after the first Wednesday of January elect by a
29 majority vote one of their members as vice-chairman, and shall
30 also elect a secretary, who need not be a member of the board.
31 The vice chairman shall act as chairman in the absence of the
32 chairman or in the event of a vacancy in that position.

33 (5) All meetings of the board shall be subject to the provisions
34 of chapter 30A. Three members of the board shall constitute a
35 quorum and the affirmative vote of at least two members or a
36 majority of those present, whichever is greater, shall be necessary
37 for any action taken by the board, provided, however, that the
38 chairman alone or any two members may call a meeting of said
39 board. Advance notice of all meetings shall be given to each
40 member of the board and to the public in accordance with said
41 chapter 30A. No vacancy in the membership of the board shall
42 impair the right of a quorum to exercise all the rights and perform
43 all the duties of the board. Any sheriff vacancy occurring on the
44 board shall be filled within 90 days by the appointing authority.
45 Any sheriff appointed to fill a vacancy shall serve only for the
46 unexpired term. Any sheriff shall be eligible for reappointment
47 but only for two consecutive full terms.

48 (6) Sheriffs who are members of the board may be removed by
49 the appointing authority for substantial neglect of duty, inability to
50 discharge the powers and duties of office, gross misconduct, or
51 conviction of a felony.

52 (7) A member of the board shall cease to be a member if such
53 member resigns from office or ceases to be qualified for appoint-
54 ment. The chairman of the board or the vice chairman of the board
55 acting in the absence of the chairman, whichever the case may be,
56 shall forthwith notify the sheriffs of a vacancy, and said vacancy
57 shall be filled in the same manner as the original appointment for
58 the remainder of the unexpired term.

59 (b) The board is authorized to:

60 (1) adopt by-laws for the regulation of its affairs and the con-
61 duct of its business;

62 (2) adopt an official seal and alter the same at its pleasure;

63 (3) maintain an office in cooperation with the secretary of
64 public safety and the division of capital planning and operations,
65 at such place or places as may be necessary;

66 (4) enter into agreements, make and execute contracts or
67 transact business with any federal, state, or municipal agency,
68 board, department, bureau, division, office, authority, or commis-
69 sion, or private entity; provided, however, that any agreement or
70 transaction relating to the acquisition, lease, rental, transfer, or
71 disposal of real property to be used by the commission or the sher-
72 iffs shall be the responsibility of the division of capital planning
73 and operations;

74 (5) appear in its own behalf before boards, commissions,
75 departments, bureaus, authorities or other agencies of federal,
76 state, or municipal government;

77 (6) accept gifts or grants, except a gift or grant which may be
78 accepted solely by the division of capital planning and operations,
79 or loans of funds or financial or other aid from any federal, state,
80 municipal, or private source;

81 (7) employ an executive director, who shall serve full-time, at
82 the pleasure of the board, and fix the compensation thereof; pro-
83 vided, however, that neither the person so employed nor the posi-
84 tion of executive director shall be classified under chapter 31 or
85 have tenure by reason of section 9A of chapter 30; provided, fur-
86 ther, that any employee of the board shall be an employee of the
87 commonwealth;

88 (8) receive and review operating and capital budgets of the var-
89 ious sheriffs, and submit recommendations with respect thereto to
90 the executive office for administration and finance; provided,
91 however, that those provisions of said operating budgets which
92 relate to any acquisition, lease, rental, transfer, or any other dispo-
93 sition of any real property utilized by the board or the various
94 sheriffs shall require the written approval of the commissioner of
95 capital planning and operations;

96 (9) promulgate personnel regulations applicable to sheriffs'
97 department employees, after consultation with the various sher-
98 iffs;

99 (10) establish standards for all county correctional facilities
100 pursuant to section 1A of chapter 127, and secure compliance with
101 such standards, if necessary, through the enforcement provisions
102 of section 1B of chapter 127;

103 (11) establish standards for prisoner classification procedures,
104 after consultation with the various sheriffs; and

105 (12) do any and all things necessary or convenient to carry out
106 its purposes and exercise the powers expressly given and granted
107 to the board pursuant to the provisions of this section.

108 (c) The secretary of public safety as board chairman shall have
109 responsibility for the general superintendency of the regional cor-
110 rections system. When in the opinion of the secretary a contro-
111 versy arises in any division of said system with respect to
112 employment, personnel, administration, practice, procedure or
113 contractual matters, the secretary shall consult with the sheriff in
114 whose county the controversy has arisen. If after such consultation
115 the controversy remains unresolved in the secretary's opinion, he
116 shall recommend a resolution to the board, and the board may
117 issue an order in writing to such sheriff to resolve the controversy
118 in the manner set forth in the order. If the sheriff fails within
119 seven days after receiving the order to take such action, the secre-
120 tary may take such action directly and such action shall be final.

121 (d) An employee of a county correctional facility shall be an
122 "employee" or "public employee" within the meaning of section 1
123 of chapter 150E, and the sheriff shall be the "employer" or "public
124 employer" within the meaning of said section 1, subject to the
125 provisions of subsection (c). A sheriff's powers and duties as such
126 employer shall also be subject to such guidelines as the board may
127 adopt. Any collective bargaining agreement negotiated by a

128 sheriff shall, before he signs it, be subject to such evaluation as
129 the board may direct. A collective bargaining agreement negoti-
130 ated by a sheriff shall be submitted to the governor in conformity
131 with the provisions of subsection (c) of section 7 of chapter 150E.

1 SECTION 105. The General Laws are hereby amended by
2 inserting after chapter 40O the following chapter:—

3 **CHAPTER 40Q.**
4 **REGIONAL COUNCILS OF GOVERNMENT.**

5 Section 1. The purpose of this chapter is to establish a compre-
6 hensive and uniform regional governance structure to permit cities
7 and towns to plan and work jointly to promote the greatest effi-
8 ciency and economy in addressing community needs, as they
9 arise, within their jurisdictions and the general welfare and pros-
10 perity of the citizens.

11 Section 2. A city or town within or contiguous to a county,
12 which accepts the provisions of this section by vote of the city
13 council with the approval of the chief executive officer including
14 a city manager or by vote of the town meeting, may enter into
15 agreement to join a regional charter commission. Each city or
16 town electing to join said commission shall send a representative
17 and said commission shall convene and shall develop a charter
18 proposal recommending (a) a structure, including organization and
19 a method of selecting members for such regional council of gov-
20 ernment and (b) provision for the method of determining approval
21 of the charter proposal; provided, however, that such method must
22 require at least a majority vote of town meeting or city council in
23 a majority of the towns and cities or a majority vote in a region-
24 wide election. Such charter proposal shall also include provisions
25 for cities or towns to enter or leave participation in the regional
26 council of government, and a provision for such regional council
27 of government to allow any contiguous city or town, by vote of
28 the city council with the approval of the chief executive officer
29 including a city manager, or by vote of the town meeting, to join
30 such regional council of government. Provisions of county char-
31 ters adopted pursuant to the provisions of chapter 807 of the acts
32 of 1985 may be adopted to the extent that they are consistent with

33 the provisions of this chapter. Regional councils of government
34 under this chapter shall be established on or before June 30, 1998.

35 Section 3. A regional council of government established pur-
36 suant to this chapter may administer and provide regional services
37 to cities and towns and may delegate such authority to sub-
38 regional groups of such cities and towns. Regional councils of
39 government may enter into cooperative agreements with regional
40 planning commissions or may merge with such commissions to
41 provide regional services.

42 Section 4. Regional services provided to member municipalities
43 shall be determined by each regional council of government and
44 may include, but are not limited to, the following services: engi-
45 neering, inspectional planning, economic development, public
46 safety, emergency management, animal control, land use manage-
47 ment, tourism promotion, social services, health, education, data
48 management, regional sewerage, housing, computerized mapping,
49 household hazardous waste collections, recycling, public facility
50 siting, coordination of master planning, vocational training and
51 development, solid waste disposal, fire protection, regional
52 resource protection, regional impact studies, and transportation.

53 Section 5. A regional council of government may assess its
54 member cities and towns in a total amount not exceeding the total
55 of the former county tax allocated to such member cities and
56 towns, adjusted as provided in section 20A of chapter 59 for fiscal
57 year 1998. The assessment shall be allocated, paid and collected
58 in the same manner as the former county tax. A council shall not
59 utilize funds raised from its member cities and towns under the
60 provisions of section 7 of chapter 40B for the purposes of this
61 chapter.

62 Section 6. A regional council of government may not own real
63 property except as otherwise provided by law, and may not
64 borrow for long term debt.

65 Section 7. The regional councils of government established pur-
66 suant to this act may elect either to join the county retirement
67 system or the state retirement system or to have private pension
68 systems, but shall not be authorized to establish a new pension
69 system unless it is fully amortized.

1 SECTION 106. Section 6 of chapter 53 of the General Laws,
2 as appearing in the 1994 Official Edition, is hereby amended by

3 striking out the first sentence and inserting in place thereof the
4 following sentence:— Nominations of candidates for any offices
5 to be filled at a state election may be made by nomination papers,
6 stating the facts required by section 8 and signed in the aggregate
7 by not less than the following number of voters: for governor and
8 lieutenant governor, attorney general, United States senator, and
9 presidential electors, 10,000; for state secretary, state treasurer,
10 and state auditor, 5,000; for representative in congress, 2,000; for
11 state senator, 300; for state representative, 150; for councillor, dis-
12 trict attorney, clerk of courts, register of probate, register of deeds,
13 and sheriff, 1,000, except for clerk of courts, register of probate,
14 register of deeds, and sheriff, in Barnstable, Berkshire, Franklin,
15 and Hampshire counties, 500, and for any such offices in Dukes
16 and Nantucket counties, 25.

1 SECTION 107. Section 44 of said chapter 53, as so appearing,
2 is hereby amended by striking out the third sentence and inserting
3 in place thereof the following sentence:— Such papers for all
4 other offices to be filled at a state election shall be signed by a
5 number of voters as follows: for representative in congress, 2,000
6 voters; for councillor, district attorney, clerk of courts, register of
7 probate, register of deeds and sheriff, 1,000 voters, except that in
8 Barnstable, Berkshire, Franklin, and Hampshire counties such
9 papers for nomination to the office of clerk of courts, register of
10 probate, register of deeds and sheriff shall be signed by 500
11 voters; for state senator, 300 voters; for state representative, 150
12 voters.

1 SECTION 108. The fourth paragraph of section 48 of said
2 chapter 53, as so appearing, is hereby amended by striking out, in
3 lines 28 and 29, the words “county commissioner, sheriff, or
4 county treasurer” and inserting in place thereof the following
5 words:— or sheriff.

1 SECTION 109. Chapter 54 of the General Laws is hereby
2 amended by striking out section 143, as so appearing, and
3 inserting in place thereof the following section:—

4 Section 143. Upon a vacancy by removal or otherwise in the
5 office of register of deeds in a county or district, the state secre-
6 tary shall issue precepts to the aldermen of each city and the

7 selectmen of each town in such county or district, directing them
8 to call an election to fill such vacancy at the next biennial state
9 election for which precepts can be seasonably issued, unless the
10 term of the office expires on the first Wednesday of January
11 following such state election. The state secretary, with the
12 approval of the Massachusetts land records commission, shall
13 submit to the governor a list of three registered voters in the
14 appropriate registry district and from such list the governor shall
15 appoint one of said voters to fill such office until a person is
16 elected thereto and qualified. The person so appointed shall give
17 bond as provided in section 3 of chapter 36.

1 SECTION 110. Sections one hundred and forty-four, one hun-
2 dred and forty-six, one hundred and fifty-eight and one hundred
3 and sixty of chapter fifty-four of the General Laws are hereby
4 repealed.

1 SECTION 110A. The definition of "Contribution" in section 1
2 of chapter 55, as appearing in the 1994 Official Edition, is hereby
3 amended by striking out, in lines 63-68, the following words:—
4 " ; provided, further, that any transfer payment or advance or any
5 other thing of value from the national committee of a political
6 party to the state committee of a political party, to be used for
7 administrative, overhead, or party building activities, but not
8 including any direct contributions or services to candidates shall
9 not be considered to be a contribution."

1 SECTION 111. Chapter 55 of the General Laws is hereby
2 amended by inserting after section 15 the following section:—

3 Section 15A. No deputy sheriff or any person employed by the
4 office serving civil process in the county under the jurisdiction of
5 a sheriff shall contribute or render any political services to the
6 sheriff or his political committee, on days when during any part of
7 such days he is actively engaged in the performance of official
8 duties of his position. No sheriff may accept such services or
9 require any political services as a condition of employment from
10 any employee or deputy sheriff.

11 Violations of any provisions of this section shall be punished by
12 a fine of not less than \$100 nor more than \$1,000.

1 SECTION 112. Subsection (a) of section 19 of said chapter 55,
2 as appearing in chapter 409 of the acts of 1996, is hereby
3 amended by striking out, in the first sentence, the words “, county
4 commissioner, county treasurer”.

1 SECTION 113. Chapter 59 of the General Laws is hereby
2 amended by striking out sections 64 and 65, as appearing in the
3 1994 Official Edition, and inserting in its place the following
4 section:—

5 Section 64. A person aggrieved by the refusal of assessors to
6 abate a tax on personal property at least one-half of which has
7 been paid, or a tax on a parcel of real estate, may, within three
8 months after the date of the assessors’ decision on an application
9 for abatement as provided in section 63, or within three months
10 after the time when the application for abatement is deemed to be
11 denied as hereinafter provided, appeal therefrom by filing a com-
12 plaint with the clerk of the appellate tax board, and if on hearing
13 the board finds that the property has been overrated and that the
14 complainant has complied with all applicable provisions of law, it
15 shall make a reasonable abatement and an order as to cost; pro-
16 vided, that if the tax due for the full fiscal year on a parcel of real
17 estate is more than \$2,000, said tax shall not be abated unless the
18 full amount of said tax due has been paid without the incurring of
19 any interest charges on any part of said tax pursuant to section 57;
20 and provided further, that for the purposes of this section a sum
21 not less than the average of the tax assessed, reduced by abate-
22 ments, if any, for the three years next preceding the year of assess-
23 ment may be deemed to be the tax due, provided that a year in
24 which no tax was due shall not be used in computing such sum
25 and if no tax was due in any of the three next preceding years, the
26 sum shall be the full amount of said tax due, but the provisions of
27 said section 57 shall apply to the amount of the tax deemed to be
28 due and the payment of said sum without incurring any interest
29 charges on any part thereof shall be deemed to be the payment of
30 the tax. Such appeal shall be heard and determined by said board
31 in the manner provided by chapter 58A. Whenever a board of
32 assessors, before which an application in writing for the abate-
33 ment of a tax is or shall be pending, fails to act upon said applica-
34 tion, except with the written consent of the applicant, prior to the

35 expiration of three months from the date of filing of such applica-
36 tion it shall then be deemed to be denied and the assessors shall
37 have no further authority to act thereon; provided, that during the
38 period allowed for the taking of an appeal the assessors may by
39 agreement with the applicant abate the tax in whole or in part in
40 final settlement of said application, and shall also have the
41 authority granted to them by section 7 of chapter 58A to abate, in
42 whole or in part, any tax as to which an appeal has been season-
43 ably taken. If the list of personal property required to be brought
44 in to the assessors was not brought in within the time specified in
45 the notice required by section 29, no tax upon personal property
46 shall be abated unless the board appealed to finds good cause for
47 this delay or unless the assessors have so found as provided in
48 section 61, or unless such tax exceeds by 50 per cent the amount
49 which would have been assessed on such estate, if the list had
50 been seasonably brought in, and in such case only the excess over
51 such 50 per cent shall be abated. A tax or assessment upon real
52 estate may be abated although no list of property was brought in
53 within the time specified by the notice required by section 29;
54 provided, that the application for an abatement of such tax or
55 assessment included a sufficient description of the particular real
56 estate as to which an abatement is requested.

57 If upon hearing it appears that the complainant has complied
58 with all applicable provisions of law and the appellate tax board
59 finds that the complainant is duly entitled to an abatement, it may
60 grant him such reasonable abatement as justice may require, and
61 shall enter an order directing the treasurer of the town to refund
62 said amount, if the tax sought to be abated has been paid, together
63 with all charges and interest at eight per cent on the amount of the
64 abatement from the date of payment of the tax. The board may
65 make such order with respect to the payment of costs as justice
66 may require.

1 SECTION 114. Paragraph (a) of part A of section 3 of
2 chapter 62 of the General Laws, as appearing in the 1994 Official
3 Edition, is hereby amended by adding at the end thereof the
4 following subparagraph:—

5 (3) For a person receiving Part A dividend and interest income,
6 an amount equal to 50 percent of the lower of \$4,000 or such

7 Part A dividend and interest income for each person who, for the
8 taxable year, both: (a) claimed the additional exemption afforded
9 by Part B of this section for those persons who had attained the
10 age of 65 during said taxable year; and (b) had total adjusted gross
11 income of no more than:

12 (i) in the case of a married couple filing jointly who have
13 claimed two exemptions under the provisions of clause (C) of sub-
14 paragraph (2) of paragraph (b) of Part B of this section, \$60,000;

15 (ii) in the case of a single person or a head of household filer,
16 \$30,000.

1 SECTION 115. Said section 3 of said chapter 62, as so
2 appearing, is hereby amended by striking out, in line 80, the word
3 “six” and inserting in place thereof the following words:— 1,002.

1 SECTION 116. Paragraph (a) of Part B of said section 3 of
2 said chapter 62, as amended by section 204 of chapter 151 of the
3 acts of 1996, is hereby further amended by adding the following
4 subparagraph:—

5 (12) An amount equal to one-half of the amount of interest paid
6 by the taxpayer on educational debt during the taxable year. For
7 the purposes of this subparagraph, the term “educational debt”
8 shall mean:

9 (a) any and all loans which are or were administered by the
10 financial aid office of a two-or four-year college at which the tax-
11 payer or a dependent of said taxpayer, pursuant to subpara-
12 graph (3) of paragraph (b) of Part B, was enrolled as an
13 undergraduate student;

14 (b) which has been secured through a state student loan pro-
15 gram, a federal student loan program, or a commercial lender; and

16 (c) which was obtained and expended solely for the purpose of
17 paying tuition and other expenses directly related to said under-
18 graduate student enrollment.

1 SECTION 117. Section 6 of said chapter 62, as appearing in the
2 1994 Official Edition, is hereby amended by adding the following
3 subsection:—

4 (h) A taxpayer shall be allowed a credit against the taxes
5 imposed by this chapter if such person qualified for and claimed

6 the earned income credit, so called, allowed under the provisions
7 of section 32 of the Code, as amended and in effect for the taxable
8 year. The credit allowed by this subsection shall equal 10 per cent
9 of the federal credit received by the taxpayer for the taxable year.
10 If other credits allowed under this section are utilized by the tax-
11 payer for the taxable year, the credit afforded by this subsection
12 shall be applied last. In the event the amount of the credit allowed
13 hereunder exceeds the taxpayer's liability, the commissioner shall
14 treat such excess as an overpayment and shall pay the taxpayer the
15 amount of such excess, without interest.

1 SECTION 118. Section 1 of chapter 64D of the General Laws,
2 as so appearing, is hereby amended by striking out the second
3 sentence.

1 SECTION 119. The third paragraph of section 3 of said
2 chapter 64D, as so appearing, is hereby amended by striking out
3 the second and third sentences.

1 SECTION 120. Sections three A, three B, eleven, twelve, and
2 thirteen of said chapter sixty-four D are hereby repealed.

1 SECTION 121. Section 2 of chapter 70 of the General Laws,
2 as appearing in the 1994 Official Edition, is hereby amended by
3 striking out the definition of "Base aid", and inserting in place
4 thereof the following definition:—

5 "Base aid", in any fiscal year, the total of base aid, minimum
6 aid and foundation aid of the previous fiscal year; provided, how-
7 ever, that for any district in which the previous year net school
8 spending is less than the current year foundation budget, in deter-
9 mining base aid in the current fiscal year, the base aid amount of
10 the previous fiscal year shall be adjusted by adding the amount by
11 which the amount to be deducted in the current fiscal year pur-
12 suant to the provisions of section 89 of chapter 71 or of sec-
13 tion 12B of chapter 76 exceeds the amount that had been deducted
14 pursuant to said sections in the previous fiscal year.

1 SECTION 122. Said section 2 of said chapter 70, as so
2 appearing, is hereby further amended by striking out the definition

3 of “Foundation gap”, and inserting in place thereof the following
4 definition:—

5 “Foundation gap”, the positive difference, if any, between
6 (i) the foundation budget in any fiscal year and (ii) the sum of
7 base aid, school choice reimbursement as defined in section 12B
8 of chapter 76, charter school reimbursement as defined in section
9 89 of chapter 71, federal impact aid and the larger of (1) the pre-
10 liminary local contribution for that year or (2) the standard of
11 effort for such year. The foundation gap shall be calculated sepa-
12 rately for each municipality’s share of each district to which it
13 belongs.

1 SECTION 123. Said section 2 of said chapter 70, as so
2 appearing, is hereby further amended by striking out the definition
3 of “Standard of effort”, and inserting in place thereof the
4 following definition:—

5 “Standard of effort”, for any year, shall be the lesser of (1) the
6 gross standard of effort for that year and (2) the foundation budget
7 for the year minus the sum of base aid, minimum aid, school
8 choice reimbursement, as defined in section 12B of chapter 76,
9 charter school reimbursement, as defined in section 89 of
10 chapter 71, and federal impact aid for that year. The standard of
11 effort for any municipality shall be allotted among the districts to
12 which that municipality belongs.

1 SECTION 123A. The tenth paragraph of section 3 of said
2 chapter 71B of the General Laws, as so appearing, is hereby
3 amended by adding the following words:— “; provided, however,
4 that the division of health care finance and policy established by
5 section 2 of chapter 118G shall establish rates for educational
6 assessments conducted or performed by psychologists and other
7 trained certified educational personnel notwithstanding the provi-
8 sions of any other special or general law or rule or regulation to
9 the contrary.”

1 SECTION 123B. The fifth paragraph of section 3 of
2 chapter 71B of the General Laws is hereby amended by striking
3 out the words “provided, however, that the division of health care
4 finance and policy established by section two of chapter one hun-

5 dred eighteen G shall establish rates for educational assessments
6 conducted or performed by psychologists and other trained certi-
7 fied educational personnel notwithstanding the provisions of any
8 other special or general law or rule or regulation to the contrary,”
9 inserted by section 226 of chapter 151 of the acts of 1996.

1 SECTION 125. Section 26 of said chapter 74, as so appearing,
2 is hereby amended by striking out the second and third sentences
3 and inserting in place thereof the following four sentences:— The
4 boards of trustees of the Bristol, Essex and Norfolk county agri-
5 cultural schools shall each consist of seven trustees, who shall be
6 residents of the respective counties appointed by the governor for
7 terms of four years, of which not more than two or fewer than one
8 term shall expire each year. The agricultural schools shall be
9 under the general supervision of the department of education. The
10 trustees shall appoint a treasurer who shall receive and take charge
11 of all monies due to the agricultural school, and who shall give a
12 bond for the faithful performance of his duties in accordance with
13 the provisions of section 35 of chapter 41. The fiscal year of the
14 county agricultural schools shall be the same as the fiscal year of
15 cities and towns.

1 SECTION 126. Section 28 of said chapter 74, as so appearing,
2 is hereby amended by striking out the last sentence and inserting
3 in place thereof the following two sentences:— The total budget
4 estimates approved by the board of education shall govern the
5 spending of the agricultural schools, which shall not incur liabili-
6 ties in excess of the approved amounts without first obtaining the
7 approval of the board of a revised budget. The board shall not
8 approve any agricultural school budget or revision thereof unless
9 it is satisfied that the agricultural school’s revenues and available
10 funds are sufficient to meet the proposed expenditures.

1 SECTION 127. Sections twenty-nine, thirty, thirty-one, thirty-
2 one A, and thirty-one B of said chapter seventy-four are hereby
3 repealed.

1 SECTION 128. Said chapter 74 is hereby further amended by
2 striking out section 31C, as appearing in the 1994 Official Edition,
3 and inserting in place thereof the following section:—

4 Section 31C. The trustees of the Essex agricultural and tech-
5 nical institute are hereby authorized to enter into agreements pro-
6 viding for the payment of insurance covering dismemberment or
7 death and the reasonable hospital, medical, and surgical expenses
8 incurred by, or in behalf of, any student in the institute by reason
9 of injuries sustained by him while participating, or practicing or
10 training for participation, in any game, meet, or contest conducted
11 or held as a part of or in connection with the physical education,
12 athletic program, or interscholastic sports program of said insti-
13 tute.

1 SECTION 129. Section 33 of said chapter 74, as so appearing,
2 is hereby amended by striking out the fourth and sixth sentences.

1 SECTION 129A. Subsection (f) of section 12B of chapter 76 of
2 the General Laws, as appearing in the 1994 Official Edition, is
3 hereby amended by striking out, in line 131, the word "Said" and
4 inserting in place thereof the following words:— Except where
5 the receiving district is a vocational regional school, said.

1 SECTION 129B. Said subsection (f) of said section 12B of said
2 chapter 76, as so appearing, is hereby further amended by
3 inserting after the words "non-resident student.", in line 137, the
4 following two sentences:— Where the receiving district is a voca-
5 tional regional school, said tuition amount shall be equal to the
6 actual average per pupil spending amount in the receiving district
7 as determined by the department of education, but not more than
8 the actual statewide average per pupil spending amount in voca-
9 tional regional school districts as determined by said department.
10 The amount of tuition so charged by a regional vocational school
11 that exceeds the maximum amount that could be charged but for
12 application of the preceding sentence shall be returned to the
13 member communities of the regional vocational district in the
14 year following receipt of the payment in proportion to the assess-
15 ment levied against each member community.

1 SECTION 130. Section 19C of chapter 78 of the General Laws,
2 as so appearing, is hereby amended by striking out the introduc-
3 tory paragraph and inserting in place thereof the following new
4 paragraph:—

5 The board shall establish a comprehensive statewide program
6 of regional library service, consisting of regional library systems,
7 which shall not exceed six, for the purpose of providing reference
8 and research services, interlibrary loan, delivery, and other
9 regional services to public, school, academic, and special libraries
10 in the region. For each regional library system, the board shall
11 designate an administrative agency. For such purpose, there shall
12 be an annual appropriation which the board shall apply in the
13 following manner:.

1 SECTION 131. Said section 19C of said chapter 78, as so
2 appearing, is hereby further amended by striking out clause (3)
3 and inserting in place thereof the following clause:—

4 (3) Any regional library system providing service under an
5 approved plan shall be entitled to receive annually in state aid an
6 amount per capita of its served population per square mile of the
7 area served in accordance with the following schedules:

8	1,000 or over population	\$1.60 per capita
9	750-999 population	\$1.75 per capita
10	500-749 population	\$2.07 per capita
11	Under 500 population	\$2.26 per capita

1 SECTION 132. Said chapter 78 is hereby further amended by
2 striking out section 19D, as so appearing, and inserting in place
3 thereof the following section:—

4 Section 19D. For each regional library system, the board shall
5 establish a council of members which shall consist of the chief
6 librarian or one trustee to be so designated by the board of trustees
7 or their appropriate administrative authority of each participating
8 library and one designated representative from the participating
9 private school libraries within each school district. The duties and
10 responsibilities of the council of members will be specified in the
11 bylaws of the regional library system as approved by the board of
12 library commissioners.

1 SECTION 133. Said chapter 78 is hereby further amended by
2 inserting after section 19L, as so appearing, the following two
3 sections:—

4 Section 19M. The board of library commissioners shall estab-
5 lish a statewide advisory council on cooperative library programs.
6 This advisory council shall advise the board with regard to the
7 following: statewide program of service; proposed standards for
8 the delivery of statewide network services; recommendations for
9 statewide priorities for interlibrary cooperation and resource
10 sharing; and the effectiveness of the statewide program of serv-
11 ices. The council shall prepare and adopt bylaws for the conduct
12 of business which shall be approved by the board of library com-
13 missioners.

14 Section 19N. The board of library commissioners shall estab-
15 lish such rules and regulations as are necessary and proper for
16 administering sections 19C to 19F, inclusive, and sections 19L
17 and 19M.

1 SECTION 133A. Section 37 of chapter 92 of the General Laws,
2 as appearing in the 1994 Official Edition, is hereby amended by
3 inserting after the first paragraph the following paragraph:—

4 A police officer employed by a city or town in whose bound-
5 aries, reservations or boulevards are located shall have all the
6 same powers they have as a police officer of the city or town to
7 enforce the laws of the commonwealth and the rules and regula-
8 tions of the commission on any bikeway, pathway, park, reserva-
9 tion, or other land under the care of the commission.

1 SECTION 133B. The first sentence of subsection (c) of
2 section 142M of chapter 111 of the General Laws, as most
3 recently amended by section 1 of chapter 451 of the acts of 1996,
4 is hereby further amended by striking out the words “July first,
5 nineteen hundred and ninety-seven”, and inserting in place thereof
6 the following words:— “January 1, 1998.”

1 SECTION 133C. The second sentence of said subsection (c) of
2 section 142M of said chapter 111, as most recently amended by
3 section 2 of said chapter 451 of the acts of 1996, is hereby further
4 amended by striking out the words “January first, nineteen hun-
5 dred and ninety-eight”, and inserting in place thereof the
6 following words:— “July 1, 1998.”

1 SECTION 134. Section 6A of chapter 115 of the General Laws,
2 as so appearing, is hereby amended by inserting after the word
3 “four,” in line 3, the following words: — or any person who
4 served on active duty in the armed forces of the United States for
5 a period of at least 180 days,.

1 SECTION 135. Section 6B of said chapter 115, as so
2 appearing, is hereby amended by striking out, in lines 18 and 25,
3 the words “five hundred” each time they appear and inserting in
4 place thereof, in each instance, the following figure: — 1,500.

1 SECTION 136. Said section 6B of said chapter 115, as so
2 appearing, is hereby further amended by inserting after the word
3 “legs”, in line 23, the following words: — or is otherwise deter-
4 mined to be 100 percent disabled by the Veterans Administration.

1 SECTION 137. Said section 6B of said chapter 115, as so
2 appearing, is hereby further amended by adding the following
3 paragraph:—
4 The parent or parents of a deceased member of the armed
5 forces of the United States, whose death occurred as a result of
6 injury sustained or disease contracted during active service in time
7 of war or insurrection or combat, shall be paid the sum of one
8 thousand five hundred dollars annually in two equal payments on
9 July first and January first. Such payments shall be due and
10 payable from the date of said parent or parents’ application.

1 SECTION 137A. Subsection (8) of section 9A of chapter 118E,
2 as added by section 14 of chapter 203 of the acts of 1996, is
3 hereby amended by striking out the first sentence and inserting in
4 place thereof the following sentence:— Consistent with the provi-
5 sions of title XIX and any waiver authority therein, the division
6 may establish premium and copayment amounts for beneficiaries
7 of MassHealth.

1 SECTION 138. Paragraph A of section 23 of chapter 119 of the
2 General Laws, as so appearing, is hereby amended by adding the
3 following two paragraphs:—

4 The court shall, whenever reasonable and practical, and based
5 upon a determination of the best interests of the child, ensure that

6 children placed in foster care who are separated from siblings who
7 are either in other foster or pre-adoptive homes, or in the homes of
8 parents or extended family members, have access to, and visita-
9 tion rights with, such siblings throughout the period of placement
10 in the care and custody of the commonwealth, or subsequent to
11 such placements if the children or their siblings are separated
12 through adoption or long-term placements in foster care.

13 The courts shall determine, at the time of initial placements
14 wherein children and their siblings are separated through place-
15 ments in foster, pre-adoptive, or adoptive care, that such visitation
16 rights be implemented through a schedule of visitations or super-
17 vised visitations to be arranged and monitored through the appro-
18 priate public or private agency, and with the participation of the
19 foster, pre-adoptive or adoptive parents, or extended family mem-
20 bers, and other parties who are relevant to the preservation of sib-
21 ling relationships and visitation rights. Periodic reviews shall be
22 conducted, so as to evaluate the effectiveness and appropriateness
23 of the visitations between siblings placed in care.

1 SECTION 139. Clause (5) of the second paragraph of
2 section 26 of said chapter 119, as so appearing, is hereby amended
3 by inserting after the first paragraph the following four para-
4 graphs:—

5 The court shall, whenever reasonable and practical, and based
6 upon a determination of the best interests of the child, ensure that
7 children placed in foster care who are separated from siblings who
8 are either in other foster or pre-adoptive homes or in the homes of
9 parents or extended family members, have access to, and visita-
10 tion rights with, such siblings throughout the period of placement
11 in the care and custody of the commonwealth, or subsequent to
12 such placements, if the children or their siblings are separated
13 through adoption or long-term or short-term placements in foster
14 care.

15 The courts shall determine, at the time of the initial placements
16 wherein children and their siblings are separated through place-
17 ments in foster, pre-adoptive, or adoptive care, that such visitation
18 rights be implemented through a schedule of visitations or super-
19 vised visitations, to be arranged and monitored through the appro-
20 priate public or private agency, and with the participation of the

21 foster, pre-adoptive or adoptive parents, or extended family mem-
22 bers, and the child, if reasonable, and other parties who are rele-
23 vant to the preservation of sibling relationships and visitation
24 rights.

25 Periodic reviews shall be conducted, so as to evaluate the effec-
26 tiveness and appropriateness of the visitations between siblings
27 placed in care.

28 Any child who has attained the age of 12 years, may request
29 visitation rights with siblings who have been separated and placed
30 in care or have been adopted in a foster or adoptive home other
31 than where the child resides.

1 SECTION 140. Chapter 119 of the General Laws is hereby
2 amended by striking out section 33B, inserted by section 277 of
3 chapter 151 of the acts of 1996, and inserting in place thereof the
4 following section:—

5 Section 33B. At the time of placing a child in family home
6 care, but in any event no later than five working days following
7 such placement, the department or any other child-care agency
8 shall determine whether the child has been adjudicated delinquent
9 for a sexual offense or the commission of arson, or has admitted
10 to such behavior, or is the subject of a documented or substanti-
11 ated report of such behavior. If the department or other agency
12 determines that the child has been so adjudicated, admitted, or
13 found to have engaged in such behavior, it shall immediately refer
14 the child to a qualified diagnostician for evaluation and assess-
15 ment, including a risk management assessment of the child and a
16 recommendation as to the type of appropriate and safe placement
17 for the child. Such evaluation and assessment shall be completed
18 within not more than ten working days from referral by the
19 department or agency. For the purposes of this section, a qualified
20 diagnostician shall mean an individual who possesses specialized
21 training and experience in the evaluation and treatment of sexu-
22 ally abusive youth or arsonists, as appropriate. Pending comple-
23 tion of such evaluation, the department or agency may place the
24 child in an interim setting that is able to provide appropriate
25 safety and security in light of the known risks posed by the child.
26 Such risks shall be disclosed to the caretaker, including an interim
27 safety plan to be implemented by the caretaker.

28 If the diagnostician recommends that the placement, including
29 situations in which the child remains at home, has adequate sex
30 offender or arson specific risk management procedures, the
31 department or agency responsible for placing the child shall pre-
32 pare and implement a plan to address the safety of the child and
33 other children in the home or residence, and to address the safety
34 of the children in the immediate neighborhood. Such plan must
35 include notification to all adults responsible for supervising the
36 child in the home or residence of the child's behavioral history,
37 including adjudications, if any, and education of all persons living
38 in the home or residence about the known risks attendant to the
39 child's behavior and methods of preventing such behavior, and
40 provision for appropriate treatment for the child who is being
41 placed. Where the department or agency makes a referral of such
42 child to a foster home, residential facility, other agencies or orga-
43 nizations, or individuals for the purpose of receiving services, the
44 department or agency shall disclose the child's behavioral history,
45 including adjudications, if any, to the designated recipient of the
46 referral, prior to placement or at referral.

1 SECTION 141. Section 32 of chapter 121B of the General
2 Laws, as amended by section 6 of chapter 179 of the acts of 1995,
3 is hereby further amended by inserting after the first paragraph the
4 following four paragraphs:—

5 In calculating a household's income for purposes of computing
6 the rent due under the previous paragraph and for purposes of
7 determining continued eligibility, a housing authority shall pro-
8 vide for the following income exclusions and expense deductions,
9 in accordance with regulations promulgated by the department:

10 (a) An income exclusion for any taxes, commonly referred to as
11 "FICA", "social security" and "medicare" taxes, for which the
12 household is liable under 26 U.S.C. section 3101 and any suc-
13 cessor or related laws, such exclusion being based, at the discre-
14 tion of the department, upon either reasonable documentation
15 provided by the household of such taxes actually paid or a reason-
16 able estimate of such taxes as may be due;

17 (b) An income exclusion reflecting that households pay state
18 and federal income taxes on earned income; provided, that the
19 department shall determine, in its sole discretion, a method for

20 determining the amount of this exclusion and said method may be
21 based on actual taxes paid or a procedure that estimates such taxes
22 or establishes a flat percentage or dollar deduction to approximate
23 such taxes;

24 (c) An expense deduction for documented work-related
25 expenses, as defined in Section 62(A)(1)-(2) of the federal
26 Internal Revenue Code;

27 (d) An expense deduction for the tuition and fees of full-time
28 students, to be made available equally to heads of households,
29 spouses and dependents, and to be made available regardless of
30 whether such full-time students have earned income;

31 (e) An earned income exclusion, of no less than 12 months'
32 duration, to be made available to any household member whose
33 primary source of income for the previous 12 months was derived
34 from one or more government benefits programs including, but
35 not limited to, aid to families with dependent children; supple-
36 mental security income; unemployment compensation; worker
37 compensation; old age, survivors, and disability insurance; state
38 veterans' benefits; or emergency aid for elderly and disabled resi-
39 dents; and

40 (f) An income exclusion of not more than the amount earned
41 for employment of 20 hours per week at the minimum wage, as
42 determined by section 1 of chapter 151, for a person 62 years of
43 age or older.

44 The department, in its discretion, may allow for such additional
45 deductions and exclusions as it deems reasonable.

46 For purposes of determining continued eligibility only, an
47 authority shall exclude the earned income of all unemancipated
48 household members under the age of 21, other than the head of
49 household and spouse.

50 A scale of maximum rents shall be established by the depart-
51 ment and the rents charged by housing authorities shall not exceed
52 said maximum rents, as adjusted from time to time.

1 SECTION 142. Section 1 of chapter 124 of the General Laws
2 is hereby amended by striking out paragraph (d), as appearing in
3 the 1994 Official Edition.

1 SECTION 143. Section 1 of chapter 125 of the General Laws,
2 as so appearing, is hereby amended by striking out clause (f) and
3 inserting in place thereof the following clause:—

4 (f) "County correctional facility", a jail, house of correction, or
5 correctional or detention facility operated and administered by any
6 sheriff, including but not limited to the facilities listed in
7 section 16 of chapter 126.

1 SECTION 144. Chapter 126 of the General Laws is hereby
2 amended by striking out sections 1 to 3, inclusive, as so
3 appearing, and inserting in place thereof the following three
4 sections:—

5 Section 1. The regional corrections coordinating board, in this
6 chapter called the board, shall inspect county correctional facili-
7 ties. An agent of the board shall twice in each year, at intervals of
8 not exceeding eight months visit each such facility and fully
9 examine into everything relative to the government, discipline and
10 police thereof; and as soon as may be after each inspection, the
11 agent shall make and subscribe a detailed report to the board of
12 the condition of each such facility as to health, cleanliness and
13 discipline at the time of inspection, the number of prisoners con-
14 fined there within the preceding six months or since the last
15 inspection, the causes of confinement, the number of prisoners
16 usually confined in one room, the distinction, if any, usually
17 observed in the treatment of the different classes of prisoners, the
18 punishments inflicted, any evils or defects in the construction, dis-
19 cipline or management of such prisons, the names of prisoners
20 who have been discharged or pardoned or who have died or
21 escaped, and any violation or neglect of law relative to such
22 prisons, with the causes, if known, of the violation or neglect.

23 Section 2. When an agent of the board visits a facility pursuant
24 to section one, the sheriff, superintendent, keeper or other officer
25 in charge thereof shall admit him, when required, into every apart-
26 ment of such facility, exhibit all books, precepts, documents,
27 accounts and papers relative to the affairs of the facility or to the
28 detention or confinement of any person therein, which may be
29 required, and give such aid as he requests in the performance of
30 his duties. The representative may examine on oath, administered
31 by him, either by written interrogatories, to be answered in
32 writing and subscribed, or otherwise as he may direct, any officer,
33 keeper or other person relative to the affairs or management of
34 any facility, and he may also converse with any prisoner apart,
35 and without the presence of any officer or keeper.

36 Section 3. If it appears to the board, from the report of their
37 agent or otherwise, that any law relative to county correctional
38 facilities has been violated or neglected, they shall forthwith give
39 notice thereof to the appropriate district attorney, and the secretary
40 of public safety may proceed in accordance with subsection (d) of
41 section 26 of chapter 37.

1 SECTION 145. Section six of said chapter one hundred and
2 twenty-six is hereby repealed.

1 SECTION 146. Section 7 of said chapter 126, as appearing in
2 the 1994 Official Edition, is hereby amended by striking out the
3 last sentence.

1 SECTION 147. Section 8 of said chapter 126, as so appearing,
2 is hereby amended by striking out, in lines 1 and 2, the words
3 "county commissioners in each county, except Dukes, shall at the
4 expense of the county" and inserting in place thereof the
5 following words:— commonwealth shall, subject to appropriation,
6 in each county.

1 SECTION 148. Section 8A of said chapter 126, as so
2 appearing, is hereby amended by striking out, in lines 3 and 4, the
3 words " , or in the case of Suffolk county, by the penal commis-
4 sioner of the city of Boston,".

1 SECTION 149. Said chapter 126 is hereby further amended by
2 striking out section 9A, as so appearing, and inserting in place
3 thereof the following section:—

4 Section 9A. The officers and employees of each jail or house of
5 correction required to wear uniforms shall wear uniforms pre-
6 scribed by the sheriff.

1 SECTION 150. Said chapter 126 is hereby further amended by
2 striking out section 11, as so appearing, and inserting in place
3 thereof the following section:—

4 Section 11. The commission shall cause the rules established
5 for the management of the house of correction and for the govern-
6 ment of the prisoners therein to be strictly observed, shall examine

7 all accounts of the master relative to the expenses of the institu-
8 tion, and keep a record of its official proceedings relative thereto.

1 SECTION 151. Said chapter 126 is hereby further amended by
2 striking out section 16, as so appearing, and inserting in place
3 thereof the following section:—

4 Section 16. (a) The following jails and houses of correction,
5 and all prisoners committed thereto or confined therein, shall be in
6 the custody and control of the sheriff of the county in which they
7 are located: the Barnstable County Jail and House of Correction,
8 the Berkshire County Jail and House of Correction in Pittsfield,
9 the Bristol County Jail and House of Correction in North Dart-
10 mouth, the Bristol County Jail and House of Correction in New
11 Bedford, the Bristol County Pre-Release Center in North Dart-
12 mouth, the Dukes County Jail and House of Correction in Edgar-
13 town, the Eastern Massachusetts Correctional Alcohol Center in
14 New Bedford, the Essex County Correctional Facility in Mid-
15 dleton, the Essex County Correctional Alternative Center in
16 Lawrence, the Franklin County Jail and House of Correction in
17 Greenfield, the Western Massachusetts Correctional Alcohol
18 Center in Springfield, the Hampden County Jail and House of
19 Correction in Ludlow, the Hampshire County Jail and House of
20 Correction in Northampton, the Middlesex County House of Cor-
21 rection in Billerica, the Middlesex County Jail in Cambridge, the
22 Norfolk County Correction Center in Dedham, the Braintree
23 Alternative Center in Braintree, the Plymouth County Correc-
24 tional Facility in Plymouth, the Suffolk County Jail in Boston, the
25 Suffolk County House of Correction in Boston and the Worcester
26 County Jail and House of Correction in West Boylston; and in
27 Nantucket the sheriff shall maintain a lock-up. The operation of
28 any correctional facility named in this subsection shall not be dis-
29 continued without specific authorization by law.

30 (b) Each sheriff shall keep such custody and control by himself
31 or by his deputy as jailer, superintendent or keeper, and shall be
32 responsible for maintaining and administering said facilities. The
33 sheriff, jailer, superintendent or keeper shall appoint subordinate
34 assistants, employees and officers and shall be responsible for
35 them.

36 There shall be established a county correctional officer exam,
37 to be administered by the department of personnel administration.

38 Each correction officer shall be appointed from a list of the six
39 highest scores available of those successfully completing the
40 county correctional officer exam. The regional corrections coordi-
41 nating board may recommend the type of examination to be given,
42 however, final authority relative to the content of the examination
43 shall be with the department of personnel administration. All
44 applicants for the position of county correctional officer shall
45 complete said county correctional officer exam. The board may
46 establish further employment requirements, including but not lim-
47 ited to, physical examinations, background checks, psychological
48 profiles, and urinalysis testing. In addition, the board shall estab-
49 lish uniform promotional exams for the ranks of sergeant, lieu-
50 tenant, and captain. Such jailers, superintendents, keepers,
51 subordinate assistants, employees and officers, and persons
52 employed by the sheriffs, in discharging their duties set forth in
53 section 24 of chapter 37, shall receive salaries from the common-
54 wealth, subject to appropriation.

55 (c) In addition to exercising the powers and performing the
56 duties which are otherwise given him by law, the sheriff, shall:

57 (1) maintain, and administer such jails and houses of correction
58 provided by this section;

59 (2) maintain security, safety and order at such jails and houses
60 of correction, utilize the resources of the sheriff's department to
61 prevent escapes from any such facility, and take all necessary pre-
62 cautions to prevent the occurrence or spread of any disorder, riot
63 or insurrection at any such facility;

64 (3) establish, maintain and administer programs of rehabilita-
65 tion, including but not limited to education, training employment,
66 of persons committed to the custody of the sheriff's department,
67 designed as far as practicable to prepare and assist such persons to
68 assume the responsibilities and exercise the rights of a citizen of
69 the commonwealth;

70 (4) establish a system of classification of persons committed to
71 the custody of the sheriff's department for the purpose of devel-
72 oping a rehabilitation program;

73 (5) determine at the time of commitment, and from time to time
74 thereafter, the custody requirements and program needs of persons
75 committed to the custody of the department;

76 (6) establish training programs for employees of the sheriff's
77 department and other corrections personnel;

78 (7) investigate crimes, grievances and inquire into alleged mis-
79 conduct within jails and houses of correction;

80 (8) maintain adequate records of persons committed to the cus-
81 tody of the department;

82 (9) utilize, as far as practicable, the services and resources of
83 specialized community agencies and other local groups in the
84 rehabilitation of offenders, development of programs, recruitment
85 of volunteers and dissemination of information regarding the work
86 and needs of the sheriff's department;

87 (10) make and enter any contracts and agreements necessary or
88 incidental to the performance of the duties and execution of the
89 powers of the sheriff's department, including but not limited to
90 contracts to render services to committed offenders, and to pro-
91 vide for training or education for correctional officers and staff;

92 (11) seek to develop civic interest in the work of the department
93 and educate the public and advise the general court as to the needs
94 and goals of the corrections process;

95 (12) expend annually in the exercise of his powers, perfor-
96 mance of his duties, and for the necessary operations of the
97 department such sums as may be appropriated therefor;

98 (13) make and promulgate necessary rules and regulations inci-
99 dent to the exercise of his powers and the performance of his
100 duties including but not limited to rules and regulations regarding
101 nutrition, sanitation, safety, discipline, recreation, religious serv-
102 ices, communication, visiting privileges, classification, education,
103 training, employment care and custody for all persons committed
104 to jails and houses of correction.

1 SECTION 152. Section 17 of said chapter 126, as so
2 appearing, is hereby amended by striking out, in line 3, the word
3 "county" and inserting in place thereof the following word:—
4 commonwealth.

1 SECTION 153. Chapter 126 of the General Laws is hereby
2 amended by striking out section 18, as so appearing, and inserting
3 place thereof the following section:—

4 Section 18. The compensation of all officers, assistants and
5 employees of jails and houses of correction shall be paid by the
6 commonwealth, subject to appropriation, and shall be in full com-

7 pensation for all their services. They shall devote their entire time
8 during their normal hours of employment to the performance of
9 their duties.

1 SECTION 154. Section 18A of said chapter 126, as so
2 appearing, is hereby amended by striking out, in line 1, the words
3 “jail or house of correction of a county” and inserting in place
4 thereof the following words:— county correctional facility.

1 SECTION 155. Said chapter 126 is hereby further amended by
2 striking out section 25, as so appearing, and inserting in place
3 thereof the following section:—

4 Section 25. The keeper of each jail and the superintendent of
5 each house of correction shall, at the commonwealth’s expense,
6 subject to appropriation, cause it to be constantly kept in as clean
7 and healthful a condition as may be. No permanent vault shall be
8 used in any apartment.

1 SECTION 156. Section 26 of said chapter 126, as so
2 appearing, is hereby amended by striking out the first sentence
3 and inserting in place thereof the following sentence:— If disease
4 breaks out in a jail, house of correction or other county correc-
5 tional facility which may endanger the lives or health of the pris-
6 oners to such a degree as to render their removal necessary, the
7 sheriff may designate in writing a suitable place within the same
8 county, or any prison in a contiguous county, as a place of con-
9 finement for such prisoners.

1 SECTION 157. Section 27 of said chapter 126, as so
2 appearing, is hereby amended by striking out, in line 1, the word
3 “prison” and inserting in place thereof the following words:—
4 correctional facility.

1 SECTION 158. Said chapter 126 is hereby further amended by
2 striking out section 28, as so appearing, and inserting in place
3 thereof the following section:—

4 Section 28. Subject to appropriation, each sheriff shall at the
5 expense of the commonwealth procure or cause to be procured all
6 necessary supplies and contractual services necessary for the oper-

7 ations, maintenance and capital improvement of the jails and
8 houses of correction under his control as set forth in section 16.

1 SECTION 159. Said chapter 126 is hereby further amended by
2 striking out section 29, as so appearing, and inserting in place
3 thereof the following section:—

4 Section 29. The expense of keeping and maintaining convicts
5 sentenced to imprisonment in the jail or house of correction, of
6 the keeping of persons charged with or convicted of crime and
7 committed for trial or sentence, and of prisoners committed on
8 mesne process or execution, so long as the fees for their board are
9 paid by the defendant or debtor, plaintiff or creditor, shall be paid
10 by the commonwealth, subject to appropriation.

1 SECTION 160. Sections thirty to thirty-three, inclusive, and
2 sections thirty-five to thirty-nine, inclusive, of said chapter one
3 hundred and twenty-six are hereby repealed.

1 SECTION 161. Section 34 of said chapter 126, as appearing in
2 the 1994 Official Edition, is hereby amended by striking out, in
3 line 1, the words “commissioners, or the mayor of Boston, direct”
4 and inserting in place thereof the following words:— commission
5 directs.

1 SECTION 162. Chapter 127 of the General Laws is hereby
2 amended by striking out section 1A, as so appearing, and inserting
3 in place thereof the following two sections:—

4 Section 1A. In accordance with clause (10) of subsection (b) of
5 section 26 of chapter 37, the regional corrections coordinating
6 board, in this chapter called the board, shall establish, and shall
7 from time to time revise, minimum standards for the care and cus-
8 tody of all persons committed to county correctional facilities.
9 Prior to establishing or revising such minimum standards a repre-
10 sentative of the board shall visit, consult with and receive the rec-
11 ommendations of the sheriffs of the several counties. The board
12 shall require from the sheriffs of the several counties and said
13 penal commissioner periodic reports on the population, operation
14 and conditions of all correctional facilities under their respective
15 control.

16 The board may provide consultation services for the design and
17 construction of facilities, studies and surveys of programs and
18 administration and any other technical assistance it deems proper
19 and necessary. In cooperation with the sheriff of each county, the
20 board may develop and administer programs of grants-in-aid or
21 subsidies for any county correctional detention facility.

22 Section 1B. There is hereby established within the regional cor-
23 rections coordinating board a division of correctional facility
24 inspection. Said division shall be comprised of employees of the
25 said department and employees of the various sheriffs' depart-
26 ments. The board shall have sole authority for the appointment of
27 department staff. The employees of the various sheriffs' depart-
28 ments shall be assigned to the division from time to time as deter-
29 mined by the board. At least once each six months, the division of
30 correctional facility inspection shall inspect each county correc-
31 tional facility in the commonwealth to determine compliance with
32 minimum standards. Each such inspection shall be conducted by a
33 team comprised of an equal number of employees of the depart-
34 ment and employees of the various sheriffs' departments, pro-
35 vided that no employee of a sheriffs' department shall serve on
36 any inspection team conducting an inspection of a county correc-
37 tional facility in the county where he is employed. The results of
38 such inspections along with comments provided by the board shall
39 be summarized in an annual report of the board to the general
40 court. Personnel of the department and sheriff's department
41 employees assigned to the division shall be admitted to all correc-
42 tional facilities as required for the purposes of this section.

43 If, based on reports submitted by the division of correctional
44 facility inspection, in the opinion of the board, any correctional
45 facility does not comply with the minimum standards established
46 for correctional facilities, the board shall give notice of the
47 alleged violation to the sheriff or superintendent of said facility.
48 Said notice shall specify the particular standards that in the
49 board's opinion have not been met by such facility. The officials
50 so notified shall have the right to be heard by the board with
51 regard to the alleged violation and shall have a reasonable period
52 of time to remedy any such violation. If, in the opinion of the
53 board, the facility has not been brought into compliance with the
54 aforesaid standards within a reasonable time from the date when

55 notice of their violation is given, the board may petition the supe-
56 rior court in the county in which such facility is located for an
57 order to close the facility or for other appropriate relief. The supe-
58 rior court shall have jurisdiction to enter such an order.

1 SECTION 163. Said chapter 127 is hereby further amended by
2 striking out section 10, as so appearing, and inserting in place
3 thereof the following section:—

4 Section 10. Annually, on or before August 15, the sheriffs shall
5 make a report to the board of the salaries of prison officers, of the
6 number and cost of support of prisoners, and of such other details
7 relative to the management and discipline of the several county
8 correctional facilities as the board may prescribe.

1 SECTION 164. Section 12 of said chapter 127, as so
2 appearing, is hereby amended by striking out, in line 3, the word
3 “commissioner” and inserting in place thereof the following
4 word:— board.

1 SECTION 165. Said chapter 127 is hereby further amended by
2 striking out section 13, as so appearing, and inserting in place
3 thereof the following section:—

4 Section 13. The jailer, superintendent or keeper of a county cor-
5 rectional facility may be removed by the board for neglect of duty
6 or for wasteful or extravagant use of supplies, after notice to the
7 sheriff and the person complained of and a hearing.

1 SECTION 166. Said chapter 127 is hereby further amended by
2 striking out section 14, as so appearing, and inserting in place
3 thereof the following section:—

4 Section 14. Notwithstanding the provisions of any general or
5 special law to the contrary, a sheriff may, at will, remove any
6 officer appointed by him to any position of trust or authority in a
7 county correctional facility. Said positions of trust shall include
8 but not be limited to: special sheriff, superintendent, deputy super-
9 intendent, assistant deputy superintendent, general counsel and
10 any other position designated as a major policy making position
11 the incumbent of which is required to file a statement of financial
12 interests pursuant to section 5 of chapter 268B.

1 SECTION 167. Said chapter 127 is hereby further amended by
2 striking out section 21, as so appearing, and inserting in place
3 thereof the following section:—

4 Section 21. The sheriffs may so classify prisoners sentenced
5 and committed to county correctional facilities, with reference to
6 their sex, age, character, condition and offenses, as to promote
7 their reformation and safe custody and the economy of their sup-
8 port, and to secure the separation of male and female prisoners,
9 pursuant to the standards established by the board. The superin-
10 tendent or keeper of such facility shall ascertain whether a pris-
11 oner committed thereto upon a sentence of six months or more can
12 read or write.

1 SECTION 168. Section 41 of said chapter 127, as so
2 appearing, is hereby amended by striking out, in line 6, the words
3 “or the county commissioners”.

1 SECTION 169. The second paragraph of section 71 of said
2 chapter 127, as so appearing, is hereby amended by striking out
3 the second, third, fourth and fifth sentences.

1 SECTION 170. Section 72 of said chapter 127, as so
2 appearing, is hereby amended by striking out the second and third
3 sentences.

1 SECTION 171. Said chapter 127 is hereby further amended by
2 inserting after said section 72 the following section:—

3 Section 72A. Receipts from the labor of committed offenders in
4 county correctional facilities and from charges for services ren-
5 dered by a sheriff, superintendents or deputy superintendents of a
6 county correctional facility to persons visiting such a facility shall
7 be maintained in a separate account, to be known as the Sheriff's
8 Correctional Industries Account, by the sheriff. So much thereof
9 as is necessary to pay the expenses of maintaining the industries
10 in said county correctional facilities shall be expended from said
11 account for that purpose, but not until schedules of such expenses
12 have been sworn by the sheriff and approved by the secretary for
13 administration and finance or his designee. Whenever, in the
14 opinion of the sheriff, the accumulated funds in the Sheriff's Cor-
15 rectional Industries Account from the receipts for the labor of

16 committed offenders in county correctional facilities exceed the
17 sums necessary to pay the expenses of maintaining the industries
18 by which they were produced, the sheriff shall direct that the sur-
19 plus shall be transferred into the general fund of the common-
20 wealth. The sheriff shall, as often as he has in his possession
21 money to the amount of \$5,000 received from the labor of com-
22 mitted offenders in such county correctional facility, pay it into
23 the Sheriff's Correctional Industries Account.

24 Bills for tools, implements, machinery and materials purchased
25 by, and the salaries of persons employed in, the jails and houses of
26 correction under the sections mentioned in section seventy-two
27 shall be paid monthly by the sheriff from the Sheriff's Correc-
28 tional Industries Account, upon schedules prepared and sworn to
29 by the superintendent or keeper and approved by the secretary for
30 administration and finance. The schedule of bills for tools, imple-
31 ments and machinery and of bills for materials and salaries shall
32 be kept separate from each other and from the schedules of bills
33 incurred for the maintenance of the correctional institutions of the
34 commonwealth, jails or houses of correction.

1 SECTION 172. Section 73 of said chapter 127, as appearing in
2 the 1994 Official Edition, is hereby amended by striking out the
3 last sentence and inserting in place thereof the following sen-
4 tence:— The superintendent or keeper may submit a controversy
5 relative to such contract or an action thereon to the final determi-
6 nation of arbitrators or referees, who shall be approved by the
7 governor.

1 SECTION 173. Said chapter 127 is hereby further amended by
2 striking out section 84, as so appearing, and inserting in place
3 thereof the following section:—

4 Section 84. The commonwealth may purchase or lease land,
5 with funds specifically appropriated therefor by the general court,
6 for the purpose of improving and cultivating the land by the labor
7 of sentenced prisoners from a county correctional facility; and the
8 sheriff may make arrangements with the department of highways
9 or with the officials of a town to employ said prisoners on any
10 highway or unimproved land, or with the director of the division
11 of forests and parks in the department of environmental manage-

12 ment for the reforestation, maintenance or development of state
13 forests, or with a private owner to improve waste or unused land,
14 or land used for agricultural or domestic purposes, by means of
15 such prison labor. When prisoners are so employed they shall be
16 in the custody of the sheriff of the county. When land that is not
17 the property of the commonwealth or is a public way or state
18 forest is so improved, the owners thereof or those having the way
19 or forest in charge shall pay to the commonwealth such sums as
20 may be agreed upon between the sheriff and the other parties in
21 interest for the labor of any prisoners employed thereon.

1 SECTION 174. Section 86F of said chapter 127, as so
2 appearing, is hereby amended by striking out, in lines 1 and 2, the
3 words “, except the sheriff of Suffolk county,”

1 SECTION 175. Said section 86F of said chapter 127, as so
2 appearing, is hereby further amended by striking out, in line 38,
3 the word “county” and inserting in place thereof the following
4 word:— commonwealth.

1 SECTION 176. Sections eighty-six G, ninety-two and ninety-
2 three of said chapter one hundred and twenty-seven are hereby
3 repealed.

1 SECTION 177. Section 115 of said chapter 127, as appearing
2 in the 1994 Official Edition, is hereby amended by striking out, in
3 line 1, the words “except Suffolk”.

1 SECTION 178. Sections one hundred and twenty-three to one
2 hundred and twenty-six, inclusive, one hundred and forty-three
3 and one hundred and sixty-four of said chapter one hundred and
4 twenty-seven are hereby repealed.

1 SECTION 179. Section 165 of said chapter 127, as appearing
2 in the 1994 Official Edition, is hereby amended by striking out, in
3 line 2, the words “county commissioners” and inserting in place
4 thereof the following words:— sheriff, subject to appropriation.

1 SECTION 180. Said section 165 of said chapter 127, as so
2 appearing, is hereby further amended by striking out the last sen-
3 tence.

1 SECTION 181. Section 4 of chapter 131 of the General Laws,
2 as so appearing, is amended by inserting after clause (15) the
3 following clause:—

4 (16) enter into such contracts as the director, in consultation
5 with the commissioner, deems necessary or appropriate in order to
6 fulfill the responsibilities and mandates of the agency, including,
7 but not limited to, contracts for the cutting and sale of timber on
8 lands managed by the division, and shall deposit monies received
9 from such contracts into the Inland Fisheries and Game Fund pur-
10 suant to section 2 of chapter 131.

1 SECTION 182. Section 137C of chapter 140 of the General
2 Laws, as so appearing, is hereby amended by striking out, in
3 line 1, the words “county commissioners” and inserting in place
4 thereof the following words:— mayor of a city or selectmen of a
5 town.

1 SECTION 183. Sections one hundred and forty-seven B, one
2 hundred and fifty-one B, one hundred and sixty-one and one hun-
3 dred and seventy-one of chapter one hundred and forty of the
4 General Laws are hereby repealed.

1 SECTION 184. The definition of “Employer” or “public
2 employer” in section 1 of chapter 150E of the General Laws is
3 hereby amended by striking out, in line 35, as appearing in the
4 1994 Official Edition, the word “county,”.

1 SECTION 185. Said definition of “Employer” or “public
2 employer” in said section 1 of said chapter 150E is hereby further
3 amended by striking out the last sentence, added by section 10 of
4 chapter 39 of the acts of 1995.

1 SECTION 186. Subsection (f) of section 46 of chapter 151A,
2 as amended by chapter 79 of the acts of 1996, is hereby further
3 amended by adding the following sentence:— Nothing in this
4 chapter shall prohibit the commissioner from providing informa-

5 tion to the division of medical assistance and the secretary of
6 health and human services to support the provision of federal
7 funding under section 1115 of the Social Security Act for pro-
8 grams implemented pursuant to subsection (j) of section 14 G.

1 SECTION 187. Section 69B of chapter 152 of the General
2 Laws, as appearing in the 1994 Official Edition, is hereby
3 amended by striking out, in lines 3, 4 and 8, the words “commis-
4 sioner of public employee retirement”, and inserting in place
5 thereof the following words:— personnel administration.

1 SECTION 187A. Said section 69B of said chapter 152, as so
2 appearing, is hereby further amended by striking out, in line 4,
3 the word “commissioner” and inserting in place thereof the
4 following words:— personnel administrator.

1 SECTION 188. Said chapter 152 of the General Laws, as so
2 appearing, is hereby amended by adding the following new
3 section:—

4 Section 87. The board of higher education and the public insti-
5 tutions of higher education may procure insurance for the payment
6 of workers’ compensation costs incurred pursuant to this chapter,
7 in accordance with a transition plan established jointly by the
8 board of higher education, the institutions and the workers’ com-
9 pensation unit of the human resources division.

1 SECTION 188A. The first sentence of subsection (f³/₄) of
2 section 5 of chapter 161A of the General Laws, inserted by
3 section 148 of chapter 38 of the acts of 1995, is hereby amended
4 by inserting after the words “public hearing in each of the” the
5 following words:— “cities and towns in the.”

1 SECTION 189. Chapter 166A of the General Laws is hereby
2 amended by striking out section 1, as appearing in the 1994 Offi-
3 cial Edition, and inserting in place thereof the following
4 section:—

5 Section 1. The following terms as used in this chapter shall,
6 unless the context requires otherwise, have the following
7 meanings:—

8 “Community antenna television system” or “CATV system”, a
9 facility which receives and amplifies the signals broadcast by one
10 or more television stations and redistributes such signals to sub-
11 scribing members of the public for a fixed or periodic fee,
12 employing wires or cables passing along, over, under, across, and
13 upon streets, ways, lanes, alleys, parkways, bridges, highways,
14 and other public places, including property over which a city or
15 town has an easement, or right-of-way, and including facilities
16 which in addition to providing such reception, amplification and
17 redistribution, are also used to originate and distribute program or
18 other material to such subscribers, but excluding any system
19 which serves fewer than fifty subscribers.

20 “CATV operator” or “Operator”, a person operating a CATV
21 system.

22 “Director”, the community antenna television director
23 appointed pursuant to section two.

24 “Issuing authority”, the city manager of a city having a plan D
25 or E charter, the mayor of any other city, or the board of selectmen
26 of a town.

27 “Licensee”, a person who is issued a license pursuant to
28 section 3, such term excluding only television broadcast stations
29 as defined in part 74, subpart K, section 74.1131 of the Federal
30 Communications Commission’s Rules and Regulations and news-
31 paper media and their affiliates in their major circulation areas.

32 “Area or areas to be served”, may include a municipality or a
33 portion of a municipality in order to reflect within municipal
34 boundaries, the various economic, cultural, geographic and com-
35 munity interests of the citizens residing therein.

1 SECTION 190. Said section 2 of said chapter 166A, as so
2 appearing, is hereby further amended by striking out, in lines 10,
3 13 and 14, the word “commissioner”, each time it appears, and
4 inserting in place thereof, in each instance, the following word:—
5 director.

1 SECTION 190A. Said section 2 of said chapter 166A, as so
2 appearing, is hereby further amended by striking out, in lines 17,
3 23, 28, 29 and 35, the word “commission”, each time it appears,
4 and inserting in place thereof, in each instance, the following
5 word:— division.

1 SECTION 190B. Section 2A of said chapter 166A, as so
2 appearing, is hereby amended by striking out, in lines 1, 8, 9 and
3 12, the word “commissioner”, each time it appears, and inserting
4 in place thereof, in each instance, the following word:— director.

1 SECTION 190C. Said section 2A of said chapter 166A, as so
2 appearing, is hereby further amended by striking out, in line 7, the
3 word “commission”, and inserting in place thereof the following
4 word:— division.

1 SECTION 190D. Said section 2A of said chapter 166A, as so
2 appearing, is hereby further amended by striking out, in line 10,
3 the word “commissioner’s” and inserting in place thereof the
4 following word:— director’s.

1 SECTION 190E. Section 3 of said chapter 166A, as so
2 appearing, is hereby amended by striking out, in line 6, the word
3 “commission”, and inserting in place thereof the following
4 word:— division.

1 SECTION 190F. Section 4 of said chapter 166A, as so
2 appearing, is hereby amended by striking out, in lines 3, 4, 14
3 and 27, the word “commission”, and inserting in place thereof, in
4 each instance, the following word:— division.

1 SECTION 190G. Section 5 of said chapter 166A, as so
2 appearing, is hereby amended by striking out, in lines 69 and 70,
3 the word “commission”, and inserting in place, in each instance,
4 thereof the following word:— division.

1 SECTION 190H. Section 7 of said chapter 166A, as so
2 appearing, is hereby amended by striking out, in line 5, the word
3 “commission” and inserting in place thereof the following
4 word:— division.

1 SECTION 190I. Section 8 of said chapter 166A, as so
2 appearing, is hereby amended by striking out, in lines 4, 5 and 7,
3 the word “commission”, each time it appears, and inserting in
4 place thereof, in each instance, the following word:— division.

1 SECTION 190J. Section 10 of said chapter 166A, as so
2 appearing, is hereby amended by striking out, in lines 2, 4 and 6,
3 the word “commission”, each time it appears, and inserting in
4 place thereof, in each instance, the following word:— division.

1 SECTION 190K. Section 11 of said chapter 166A, as so
2 appearing, is hereby amended by striking out, in lines 2, 10
3 and 12, the word “commission”, each time it appears, and
4 inserting in place thereof, in each instance, the following word:—
5 division.

1 SECTION 190L. Section 12 of said chapter 166A, as so
2 appearing, is hereby amended by striking out, in line 1, the word
3 “commission” and inserting in place thereof the following
4 word:— division.

1 SECTION 190M. Section 13 of said chapter 166A, as so
2 appearing, is hereby amended by striking out, in line 4, the word
3 “commission” and inserting in place thereof the following
4 word:— division.

1 SECTION 190N. Section 14 of said chapter 166A, as so
2 appearing, is hereby amended by striking out, in lines 8, 12, 14,
3 15, 18, 25, 31, 32 and 35, the word “commission”, each time it
4 appears, and inserting in place thereof, in each instance, the
5 following word:— division.

1 SECTION 190O. Section 15 of said chapter 166A, as so
2 appearing, is hereby amended by striking out, in lines 2, 9, 13, 16,
3 20, 32, 33, 34, 37, 38, 42, 45 and 47, the word “commission”,
4 each time it appears, and inserting in place thereof, in each
5 instance, the following word:— division.

1 SECTION 190P. Section 16 of said chapter 166A, as so
2 appearing, is hereby amended by striking out, in lines 1, 4 and 7,
3 the word “commission”, each time it appears, and inserting in
4 place thereof, in each instance, the following word:— division.

1 SECTION 190Q. Section 17 of said chapter 166A, as so
2 appearing, is hereby amended by striking out, in lines 1, 4, 5
3 and 9, the word “commission”, each time it appears, and inserting
4 in place thereof, in each instance, the following word:— division.

1 SECTION 191. Section 2 of said chapter 166A, as so
2 appearing, is hereby amended by striking out the first paragraph
3 and inserting in place thereof the following paragraph:—

4 There shall be established in the department of public utilities a
5 division of community antenna television which shall consist of a
6 director. The director shall be appointed by the governor, and shall
7 be classified in accordance with section 45 of chapter 30 and the
8 salary shall be determined in accordance with section 46C of said
9 chapter 30. The director shall devote full time during business
10 hours to the duties of the office, and shall be a registered voter in
11 the commonwealth.

1 SECTION 192. Chapter 185 of the General Laws is hereby
2 amended by striking out section 10A, as so appearing, and
3 inserting in place thereof the following section:—

4 Section 10A. The assistant recorder in any registry district may,
5 with the approval of the chief justice of the land court department,
6 appoint one or more technical assistants who shall perform such
7 duties as the court may from time to time assign to them, whose
8 compensation shall be fixed by the register of deeds, and who
9 shall serve at the pleasure of the register.

1 SECTION 193. Chapter 210 of the General Laws, as so
2 appearing, is hereby amended by inserting, after section 7, the
3 following section:—

4 Section 7A. The court shall, whenever reasonable and practical,
5 and based upon a determination of the best interests of the child,
6 ensure that children who are in the process of being adopted, or
7 who have been the subject of a final decree of adoption, and who
8 are separated from siblings who are either in foster or pre-adop-
9 tive homes, or in the homes of parents or extended family mem-
10 bers, or who have been adopted by another family, have access to,
11 and visitation rights with, such siblings.

12 The courts shall determine, at the time of initial placements
13 wherein children and their siblings are separated through place-

14 ments in foster, pre-adoptive or adoptive care, that such visitation
15 rights be implemented through a schedule of visitations or super-
16 vised visitations, to be arranged and monitored through the appro-
17 priate public or private agency, and with the participation of the
18 foster, pre-adoptive or adoptive parents, or extended family mem-
19 bers, and other parties who are relevant to the preservation of sib-
20 ling relationships and visitation rights. Periodic review shall be
21 conducted, so as to evaluate the effectiveness and appropriateness
22 of the visitations between siblings placed in care.

23 Any child who has attained the age of 12 years, may request
24 visitation rights with siblings who have been separated and placed
25 in care or have been adopted in a foster or adoptive home other
26 than where the child resides.

1 SECTION 194. Chapter 217 of the General Laws, as most
2 recently amended by section 478 of chapter 151 of the acts of
3 1996, is hereby further amended by striking out section 23A and
4 inserting in place thereof the following section:—

5 Section 23A. In addition to the first assistant registers of pro-
6 bate provided for in section 23, the first justices of the respective
7 courts of the probate and family court department for the
8 following counties may, with the approval of the chief justice of
9 the probate and family court appoint, and may, with the approval
10 of said chief justice, remove assistant registers with the same
11 powers and duties. Said appointments shall be as follows:

12 Barnstable, two assistant registers
13 Berkshire, one assistant register
14 Bristol, five assistant registers
15 Essex, three assistant registers
16 Hampden, three assistant registers
17 Hampshire, one assistant register
18 Middlesex, five assistant registers
19 Norfolk, five assistant registers
20 Plymouth, three assistant registers
21 Suffolk, five assistant registers
22 Worcester, four assistant registers.

1 SECTION 195. Section 29F of chapter 217 of the General
2 Laws, as appearing in the 1994 Official Edition, is hereby

3 amended by striking out, in lines 5 and 6, the words “of six thou-
4 sand dollars” and inserting in place thereof the following
5 words:— an amount equal to 15 per cent of the annual salary of
6 the Worcester county register of probate.

1 SECTION 195A. The first paragraph of chapter 218 of the
2 General Laws, in section 57, as appearing in the 1994 Official
3 Edition, is hereby amended by striking out the eighth subpara-
4 graph and inserting in place thereof the following subpara-
5 graph:—

6 FRANKLIN AND HAMPSHIRE COUNTIES.

7 held at Northampton, within the same territorial limits as are
8 prescribed for the criminal jurisdiction of the Northampton divi-
9 sion of the district court department, as the chief justice of the
10 juvenile court department may determine.

11 held at Greenfield, within the same territorial limits as are pre-
12 scribed for the criminal jurisdiction of the Greenfield division of
13 the district court department, as the chief justice of the juvenile
14 court department may determine.

15 held at Orange, within the same territorial limits as are pre-
16 scribed for the criminal jurisdiction of the Orange division of the
17 district court department, as the chief justice of the juvenile court
18 department may determine.

19 held at Ware, within the same territorial limits as are prescribed
20 for the criminal jurisdiction of the Ware division of the district
21 court department, as the chief justice of the juvenile court depart-
22 ment may determine.

1 SECTION 196. Section 94 of chapter 221 of the General Laws,
2 as most recently amended by section 18 of chapter 120 of the acts
3 of 1996, is hereby amended by striking out the second paragraph
4 and inserting in place thereof the following paragraph:—

5 The salary of the clerk of the supreme judicial court for Suffolk
6 county shall be 81.57 per cent of the salary of the chief justice of
7 the supreme judicial court and shall be paid, subject to appropria-
8 tion, by the commonwealth. The salary of the first assistant clerk
9 of the supreme judicial court for Suffolk county shall be 89.25 per
10 cent of the salary of said clerk and shall be paid, subject to appro-
11 priation, by the commonwealth. The salary of the assistant clerks

12 of the supreme judicial court for Suffolk county shall be 78.27 per
13 cent of the salary of said clerk and shall be paid, subject to appro-
14 priation, by the commonwealth.

1 SECTION 196A. Section 27A of chapter 261 of the General
2 Laws, as appearing in the 1994 Official Edition, is hereby
3 amended by striking out the definition of “Indigent”, and inserting
4 in place thereof the following ten definitions: —

5 “Available funds”, a liquid assets and disposable net monthly
6 income calculated after provision is made for the party’s bail
7 obligations.

8 “Certain assets and income of party’s household”, a party’s
9 available funds shall include the liquid assets and disposable net
10 monthly income of the party’s spouse, or person in substantially
11 the same relationship, and each of the party’s parents, provided, in
12 each instance, any such person lives in the same residence as the
13 party and contributes substantially toward the household’s basic
14 living expenses, unless that other person has an adverse interest in
15 the proceeding. For the purposes of this section, a person shall
16 have an adverse interest in a proceeding if he is the victim, com-
17 plainant, or petitioning party, is a prospective prosecution witness,
18 or is a party, if it is a civil matter.

19 “Available funds of a party over 16 supported by another”, the
20 available funds of any party over the age of 16 who is substan-
21 tially supported by a parent or parents or by a guardian, or who
22 continues to be claimed as a dependent for tax purposes, shall
23 include the available funds of that person’s parent or parents or
24 guardian, except when that other person has an adverse interest in
25 the proceeding.

26 “Available funds of a party under 17”, the available funds of a
27 party under the age of 17, including a child allegedly in need of
28 services, and an allegedly delinquent child as defined in section
29 21 and 52 of chapter 119, shall include available funds of the
30 child’s parents or guardian, regardless of their place of residence,
31 except when that other person has an adverse interest in the pro-
32 ceeding.

33 “Basic living costs”, the average monthly amount spent for rea-
34 sonable payments, including loan payments, toward living costs,
35 such as shelter, food, utilities, health care, transportation, clothing,
36 education, and support payments.

37 “Disposable net monthly income”, the income remaining each
38 month after deducting income taxes, social security taxes, contrib-
39 utory retirement, union dues, and basic living costs.

40 “Income”, salary, wages, interest, dividends, rental income, and
41 other earnings and cash payments, such as amounts received from
42 pensions, annuities, social security, and public assistance pro-
43 grams.

44 “Liquid assets”, cash, savings accounts, bank accounts, stocks,
45 bonds, certificates of deposit, equity in real estate, and equity in a
46 motor vehicle or in other tangible property; provided that an
47 equity in real or personal property is reasonably convertible to
48 cash. Any motor vehicle necessary to maintain employment shall
49 not be considered a liquid asset.

50 “Party”, a defendant in a criminal proceeding, a juvenile in a
51 delinquency proceeding, and any person, including a juvenile, in a
52 civil matter.

53 “Indigent”, a party who is:

54 (i) receiving one of the following types of public assistance:
55 Transitional Aid to Families with Dependent Children (TAFDC),
56 Emergency Aid to Elderly, Disabled and Children (EAEDC),
57 poverty related veterans’ benefits, food stamps, refugee resettle-
58 ment benefits, medicaid, or supplemental security income (SSI);

59 (ii) receiving an annual income, after taxes, one hundred
60 twenty-five per cent or less of the then current poverty threshold
61 annually established by the Community Services Administration
62 pursuant to section 625 of the Economic Opportunity Act, as
63 amended;

64 (iii) residing in the tuberculosis treatment center or a public or
65 private mental health, mental retardation or long term care facility,
66 including the Bridgewater state hospital and the treatment center,
67 or who is the subject of a proceeding in which admission or com-
68 mitment to such a center or facility is sought, or who is the subject
69 of a proceeding in which a substituted judgment determination
70 concerning treatment is sought, provided, however, that where the
71 judge has reason to believe that the party is not indigent, a deter-
72 mination of indigency shall be made in accordance with
73 section 27C. Notwithstanding the provisions of this section, for
74 purposes of such determination “available funds” shall not include
75 the liquid assets of disposable net monthly income of any member
76 of the party’s family.

77 (iv) serving a sentence in a correctional institution and has no
78 available funds; or

79 (v) held in custody in jail and has no available funds.

80 “Indigent but able to contribute”, a party who

81 (i) has an annual income, after taxes, of more than 125 per cent
82 and less than 250 per cent of the then current poverty threshold
83 annually established by the Community Services Administration
84 pursuant to section 625 of the Economic Opportunity Act, as
85 amended, or

86 (ii) is charged with a felony within the jurisdiction of the Supe-
87 rior Court and whose available funds are insufficient to pay the
88 anticipated cost of counsel for the defense of the felony but are
89 sufficient to pay a portion of that cost.

1 SECTION 196B. Subsection (3) of said section 27C of chap-
2 ter 261, as so appearing, is further amended by inserting at the end
3 thereof, the following sentences: — The justice or judge shall
4 apply the indigency standard set forth in section 27A and shall
5 make one of the following three determinations: (i) the affiant is
6 indigent; or (ii) the affiant is indigent but able to contribute a por-
7 tion of the fees and costs of the services which payment has been
8 sought; or (iii) the affiant is not indigent. In making such determi-
9 nation, the judge shall apply the definitions of indigent and indi-
10 gent but able to contribute set forth in section 27A.
11 Notwithstanding the court’s determination pursuant to the provi-
12 sions of said section 27A, the court may make its determination
13 based on consideration of the party’s available funds in relation to
14 the party’s basic living costs or based on special circumstances, or
15 both, provided that the court sets forth its written findings and rea-
16 sons for such determination which shall be part of the record on
17 appeal.

1 SECTION 196C. The definition of “Crime” in section 1 of
2 chapter 258C of the General Laws, as appearing in the 1994 Offi-
3 cial Edition, is hereby amended by adding the following sen-
4 tence:— Crime shall apply to an act occurring in the
5 commonwealth, and to an act of terrorism, as defined in 18 U.S.C.
6 section 2331, occurring outside the United States or territories
7 against a resident of the commonwealth.”

1 SECTION 197. Chapter 262 of the General Laws is hereby
2 amended by striking out section 8A, as appearing in the 1994
3 Official Edition, and inserting in place thereof the following
4 section:—

5 Section 8A. (a) Each sheriff shall file a monthly accounting
6 report with the state treasurer, and an annual account report pre-
7 pared in accordance with the government auditing standards of the
8 United States General Account Office on or before the seventy-
9 fifth day after the close of the fiscal year with the state treasurer,
10 the senate and house committees on ways and means and the sec-
11 retary of public safety. Said annual report shall detail all business
12 related to the service of process, verified by a written declaration
13 by the sheriff that is made under the penalties of perjury. Any
14 sheriff's process office which generates in excess of \$100,000 in
15 annual fees from service of process shall have an annual audit pre-
16 pared by a licensed professional accountant or accounting firm.
17 Along with the annual accounting report, each process office shall
18 file information compiled on an annual basis under section 11 of
19 chapter 37.

20 (b) Annual reports filed pursuant to subsection (a) shall include
21 but not be limited to complete, itemized schedules of the
22 following information pertaining to the service of process:

23 (1) assets, including cash, deposits, accounts receivable, and
24 the value of all property and equipment;

25 (2) liabilities, including accounts payable, client escrow
26 deposits, capital lease obligations, and all other debt;

27 (3) income derived from service of process and otherwise;

28 (4) expenses paid, including payroll and all other expenses;
29 and,

30 (5) any surplus from the sheriff's process account which has
31 been transferred to an account established for the operations and
32 maintenance of any jail or house of correction, or any other
33 account established to carry out the statutorily authorized func-
34 tions of the sheriff in the county.

35 (c) Any sheriff who fails to file any report as required under
36 section shall be punished by a fine of \$50 per day until such
37 report is filed.

1 SECTION 198. Section 4 of chapter 775 of the acts of 1975 is
2 hereby amended by inserting after subsection (a) the following
3 subsection:—

4 (a½) Notwithstanding the provisions of subsection (a), one rep-
5 resentative each from the towns of Ludlow, Hampden and
6 Wilbraham shall be entitled to serve as an additional member of
7 the board of directors, to attend the meetings of said board, and to
8 vote on any matters before the board that affect the town repre-
9 sented by said member; provided that each such additional
10 member shall be elected by a vote of, and serve at the pleasure of,
11 the board of selectmen of the applicable town.

1 SECTION 198A. Paragraph (b) of section 3 of chapter 372 of
2 the acts of 1984, as amended by section 183 of chapter 60 of the
3 acts of 1994, is hereby further amended by striking out the third
4 sentence and inserting in the place thereof the following sen-
5 tence:— All persons appointed by the advisory board, including
6 members initially appointed, shall be appointed to terms of three
7 years with one term to expire in each year, provided that the term
8 which began on July 1, 1996 and is scheduled to expire on
9 June 30, 1998 shall expire on June 30, 1999, provided further, that
10 the term which began on July 1, 1992 and is scheduled to expire
11 on June 30, 1998 shall so expire, and provided further that the
12 term which began on July 1, 1994 and is scheduled to expire on
13 June 30, 2000 shall so expire.

1 SECTION 199. Section 2 of Chapter 463 of the acts of 1987 is
2 hereby amended by striking out the words “and ending June thir-
3 tieth, nineteen hundred and ninety-seven.”

1 SECTION 200. Chapter one hundred and sixty-three of the
2 acts of nineteen hundred and eighty-eight is hereby repealed.

1 SECTION 201. Chapter two hundred and thirty-eight of the
2 acts of nineteen hundred and eighty-eight is hereby repealed.

1 SECTION 201A. Chapter 490 of the acts of 1993 is hereby
2 amended by striking out section 9, as most recently amended by
3 section 3 of chapter 451 of acts of 1996, and inserting in place
4 thereof the following section: —

5 Section 9. Subsection (c) of section 142M of chapter 111 of the
6 General Laws, added by section six of this act, shall take effect on
7 January 1, 1998. Section eight shall take effect on December 31,
8 1997.

1 SECTION 202. Item 2260-8870 of section 2 of chapter 60 of
2 the acts of 1994 is hereby amended by striking out the words “said
3 one hundred ten thousand dollars over a period of not more than
4 five years” and inserting in place thereof the following words:—
5 said \$110,000 over a period of not more than ten years.

1 SECTION 203. Clause (4) of subsection (e) of section 110 of
2 chapter 5 of the acts of 1995 is hereby amended by striking out
3 the word “or”.

1 SECTION 203A. Clause (5) of said subsection 110 of said
2 chapter 5 is hereby amended by adding the following word: — or.

1 SECTION 203B. Said subsection (e) of said section 110 of
2 said chapter 5 is hereby amended by adding the following
3 clause:—

4 (6) recipients who are victims of domestic violence, as deter-
5 mined by the commissioner, and (a) if they are residing in a
6 shelter for such victims, are in compliance with mandatory
7 housing search requirements, compliance with which impedes the
8 recipient’s ability to obtain or retain employment, (b) whose
9 safety or whose children’s safety would likely be compromised
10 because of such domestic violence by compliance with the provi-
11 sions of subsections (d), (f), (h) or (j), or (c) whose physical,
12 mental or emotional condition, or such condition of their children,
13 as a result of such domestic violence substantially interferes with
14 their ability to comply with the provisions of subsections (d), (f),
15 (h) or (j).

16 The department shall establish standards for granting exemp-
17 tions in cases of domestic violence of other requirements and
18 penalties of this chapter and chapter 118 of the General Laws
19 where application of the requirement or penalty will make it more
20 difficult for the recipient to escape domestic violence, will

21 increase the risk of further violence, or where it will unfairly
22 penalize an individual who has been victimized by such violence.
23 The department shall notify applicants and recipients of the
24 exemptions available to victims of domestic violence and shall
25 conduct a limited inquiry of applicants and recipients to identify
26 individuals who might wish to seek an exemption.

1 SECTION 204. The first paragraph of subsection (f) of said
2 section 110 of said chapter 5, as amended by section 36 of
3 chapter 39 of the acts of 1995, is hereby further amended by
4 inserting after the word “commissioner” in the first sentence, the
5 following words:— ; provided, however, that any former recip-
6 ient, whether or not he has received assistance for the 24 month
7 period, who is employed and who meets the financial eligibility
8 requirements established by the department in regulations, shall
9 be eligible to receive transitional child care services for a period
10 of one year following termination of benefits provided pursuant to
11 this section.

1 SECTION 205. The second paragraph of subsection (j) of said
2 section 110 of said chapter 5 is hereby further amended by
3 striking out, in the second sentence, as appearing in section 523 of
4 chapter 151 of the acts of 1996, the words “listed in this subsec-
5 tion” and inserting in place thereof the following words:—
6 approved pursuant to subsections (h) or (k) or this subsection.

1 SECTION 206. Paragraph (14) of subsection (l) of said
2 section 110 is hereby amended by striking out the words “until
3 December thirty-first, nineteen hundred and ninety-six”.

1 SECTION 207. The fourth paragraph of section 309 of
2 chapter 38 of the acts of 1995 is hereby amended by striking out
3 the first sentence and inserting in place thereof the following sen-
4 tence:— Departments receiving allocations pursuant to said
5 item 1599-0033 and this section may expend such funds without
6 appropriation after obtaining the written approval of said secretary
7 or his designee of a plan detailing said proposed expenditures and
8 filing said approved plan with the house and senate committees on
9 ways and means; provided, that said secretary may approve a

10 spending plan which authorizes a department to expend its rev-
11 enue maximization allocation by means of an interagency service
12 agreement with another state entity, and which otherwise meets
13 the requirements of this section.

1 SECTION 207A. Section 86 of chapter 120 of the acts of 1995,
2 as amended by section 63 of chapter 204 of the acts of 1996, is
3 hereby further amended by inserting after the third sentence the
4 following sentence: — “Said special commission is hereby autho-
5 rized to grant from the amount appropriated for its use a sum not
6 to exceed \$25,000 to repair ancient monuments at the site of
7 Burial hill in the town of Plymouth.”

1 SECTION 208. The first paragraph of section 3 of chapter 71
2 of the acts of 1996 is hereby amended by striking out, in the
3 second sentence, the word “commissioners” and inserting in place
4 thereof the following words:— retirement board advisory council.

1 SECTION 208A. Item 0699-0090 of section 2 of chapter 151
2 of the acts of 1996 is hereby amended by striking out the figure
3 “271,379,000” and inserting in place thereof the figure: —
4 401,279,000.

1 SECTION 208B. Item 0699-0100 of said section 2 of said
2 chapter 151 is hereby amended by striking out the figure
3 “6,600,000” and inserting in place thereof the figure: —
4 10,845,763.

1 SECTION 209. Section 564 of chapter 151 of the acts of 1996
2 is hereby amended by inserting after the first sentence the
3 following sentence:— Notwithstanding the foregoing, the depart-
4 ment may, in consultation and cooperation with the division of
5 registration, develop and implement a level of licensure specifi-
6 cally designed for social workers providing child protection serv-
7 ices, provided that development of such level of licensure shall
8 not delay timely implementation of this section.

1 SECTION 210. The third sentence of the second paragraph of
2 said section 564 of said chapter 151 is hereby amended by striking

3 out in the third sentence the words “The regulations shall be effective as of April first, nineteen hundred and ninety-seven, or such time as the collective bargaining representatives of the commonwealth and of the social workers employed by the department have bargained to agreement or to an impasse as determined by the board of conciliation and arbitration pursuant to section nine of chapter one hundred and fifty E of the General Laws over the impact of such regulations” and inserting in place thereof the following words:— The regulations shall be effective on, and shall apply to all social workers hired on or after, January 1, 1998, or such earlier time as the collective bargaining representatives of the commonwealth and of the social workers employed by the department have bargained to agreement or impasse, as determined by the board of conciliation and arbitration pursuant to section 9 of chapter 150E of the General Laws, over the impact of such regulations.

1 SECTION 211. The fourth sentence of said second paragraph of said section 564 of said chapter 151 is hereby further amended by striking out the words “nineteen hundred and ninety-seven and nineteen hundred and ninety-eight” and inserting in place thereof the following figures:— 1998 and 1999.

1 SECTION 212. Section 567 of said chapter 151 is hereby amended by striking out subsections (i) and (j).

1 SECTION 214. Chapter two hundred and ninety of the acts of nineteen hundred and ninety-six is hereby repealed.

1 SECTION 215. Section 64 of chapter 365 of the acts of 1996 is hereby amended by adding the following sentence:— Effective July 1, 1997, the entity previously known as the Bay State Skills Corporation/Industrial Services Program shall be known as the corporation for workforce training and development.

1 SECTION 216. The secretary of transportation shall exercise the powers of county commissioners under the provisions of chapters 81 to 88, inclusive, and chapters 159 to 161, inclusive, of the General Laws; provided, that any city or town that accepts this provision shall instead exercise said powers.

1 SECTION 217. The functions and personnel of the several
2 counties relating to boundary surveys, engineering and highway
3 planning shall be transferred to the regional planning commis-
4 sions, subject to the acceptance of the respective commissions.

1 SECTION 218. (a) Notwithstanding any general or special law
2 or county charter to the contrary, the system of county government
3 in all counties in the commonwealth is hereby abolished, as of
4 July 1, 1998. The following provisions of this section shall apply
5 until June 30, 1998.

6 (b) The secretary of administration and finance may declare a
7 county fiscal emergency in any county that has failed to pay a
8 payroll or any bonds or notes for a period of seven days after such
9 payroll or debt instrument has become due, or in any county that
10 has failed to have a budget approved by the county government
11 finance review board not later than the first day of October of the
12 fiscal year.

13 (c) In any county in which the secretary has declared a fiscal
14 emergency, he may order an assessment and audit of county
15 finances and operations, to be performed at the expense of the
16 county. The purpose of such an assessment shall be to ascertain
17 the state of the county's finances and the levels of funding neces-
18 sary to maintain essential county functions, and such other matters
19 as the secretary may require.

20 (d) For each county in which an emergency has been declared,
21 the secretary shall establish, and may from time to time revise,
22 spending limits and periodic allotments, notwithstanding the pro-
23 visions of sections 32 and 34 of chapter 35 of the General Laws.
24 The secretary may fix the limits of spending authority at different
25 levels for different county departments and functions, in as much
26 detail as the secretary determines. Such spending limits and period
27 allotments shall govern all spending by county officers and
28 departments, whether from appropriations, revenues, grants,
29 revolving funds or any other funding source.

30 (e) Any county officer who willfully incurs obligations in
31 excess of the limits and period allotments established by the sec-
32 retary under subsection (d) shall be personally liable to the county
33 for the amount of such excess.

34 (f) The governor may appoint a receiver for any county in
35 which the secretary has declared an emergency. Such a receiver
36 shall assume all the powers and duties of the advisory board, the
37 county commissioners and the county treasurer, or of boards and
38 officers, however denominated, who have such functions in a
39 county. The powers and functions of such boards and officers
40 shall be suspended upon the appointment of a receiver, and such
41 board and officers shall not receive any salary. The secretary shall
42 determine the salary of the receiver and of such staff as the
43 receiver with the approval of the secretary shall appoint, which
44 shall be payable from the funds of the county. The receiver may
45 establish such fiscal controls and procedures as may be necessary
46 to restore fiscal stability and to ensure the continuation of essen-
47 tial county functions. The receiver shall be immune from civil lia-
48 bility arising out of the exercise of his powers or the performance
49 of his duties under this section. A receiver shall serve for the bal-
50 ance of the fiscal year in which he is appointed, or for such longer
51 term, not to extend beyond June 30, 1998, as the governor may
52 determine when he appoints the receiver. A receiver may initiate
53 federal bankruptcy proceedings for the county, with the written
54 consent of the secretary. A receiver shall adopt a budget for the
55 county. Any budget adopted by a receiver shall not require the
56 approval of the county government finance review board, nor
57 otherwise be subject to the provisions of section 12 of
58 chapter 64D of the General Laws. With the written approval of the
59 secretary, a receiver may restructure any existing county debt or
60 other obligations, and may issue temporary debt for such restruc-
61 turing loans for periods longer than those allowed under
62 chapters 35 and 111 of the General Laws.

63 (g) Essential county functions for purposes of this section are
64 the operation of jails and houses of correction, of registries of
65 deeds, and of county courthouses.

1 SECTION 219. (a) All valid liabilities and debts of a county in
2 force on June 30, 1998 are henceforth obligations of the common-
3 wealth, except as may be otherwise provided in this act.

4 (b) No county may sell or dispose of any assets, except as this
5 act specifically provides for transferring county assets to the com-
6 monwealth or its subdivisions. Notwithstanding the provisions of

7 any general or special law to the contrary, if a city or town
8 receives funds resulting from the distribution of county assets
9 after January 1, 1997, the secretary of administration and finance
10 shall deduct an equal amount from the local aid payment to said
11 city or town in the next fiscal year.

12 (c) A commission chaired by the secretary of administration
13 and finance or his designee, and also consisting of three persons,
14 one who shall be from eastern Massachusetts, one who shall be
15 from central Massachusetts, and one who shall be from western
16 Massachusetts; appointed by the governor, and the state auditor or
17 his designee, shall review, including but not limited to: the
18 finances and all current financial arrangements, contracts, or
19 agreements with financial institutions of each county and shall
20 certify any outstanding debt, including that relating to county hos-
21 pitals, and the benefits of retaining, renewing, or continuing said
22 current financial arrangements, contracts, or agreements. Said
23 commission shall file a report with the house and senate commit-
24 tees on ways and means and with the special commission on
25 county assets and debt, established pursuant to section 222, not
26 later than January 1, 1998.

1 SECTION 220. All valid leases and contracts of a county which
2 are in force on June 30, 1997 are henceforth obligations of the
3 commonwealth, and the commonwealth shall have authority to
4 exercise all rights and enjoy all interests conferred upon the
5 county by said leases and contracts, except as may be otherwise
6 provided in this act. Any obligation under a lease or contract
7 entered into after June 30, 1997 shall be binding on the common-
8 wealth only if and to the extent that the secretary of administration
9 and finance approves the assumption of such obligation and if the
10 county treasurer has certified to the secretary that sufficient funds
11 are available for such obligation. Salaries of all county officers
12 and employees shall remain at their level of January 1, 1997,
13 except as otherwise provided in this act or in an applicable collec-
14 tive bargaining agreement.

1 SECTION 221. (a) Notwithstanding the provisions of any
2 general or special law to the contrary, there shall be transferred to
3 the commonwealth on July 1, 1998 all right, title and interest in

4 real and personal property, including without limitation, all court-
5 houses, hospitals, registries of deeds, registries of probate and the
6 like, and all other county buildings, and the land on which they
7 are situated and the parking facilities, fixtures and improvements
8 located thereon or associated therewith, which right, title or
9 interest are owned or held by a county of the commonwealth on
10 June 30, 1998, except as otherwise provided in this act; provided,
11 that such real and personal property occupied by or used by the
12 judicial branch, in whole or in part, shall be transferred at such
13 earlier time as the commissioner of capital planning and opera-
14 tions gives notice in writing to the county commissioners that the
15 commonwealth is about to expend state funds to repair or improve
16 such real or personal property; provided further, that all such real
17 and personal property owned or held by a county and entirely
18 occupied by or used by a sheriff or registry of deeds shall be
19 transferred on July 1, 1997. All transfers under this section and all
20 buildings, lands, parking facilities, fixtures and improvements
21 shall be subject to the provisions of chapter 7 of the General Laws
22 and the jurisdiction of the commissioner of capital planning and
23 operations as provided therein, except as otherwise provided in
24 this act.

25 (b) Damages and consideration for the transfers under this
26 section shall be limited to an assumption by the commonwealth of
27 the operation and maintenance of the real and personal property,
28 including the annual debt service. All questions relating to the
29 identification of such real and personal property and to the pay-
30 ment by the commonwealth of such annual debt service shall be
31 determined by the commissioner of capital planning and opera-
32 tions, with the advice of the appropriate state agency or depart-
33 ment.

34 (c) The transfers under this section shall be effective and shall
35 bind all persons, with or without notice, without any further action
36 or documentation. Without derogating from the foregoing, the
37 commissioner of capital planning and operations may, from time
38 to time, execute and record and file for registration with a registry
39 of deeds and registry district of the land court, a certificate con-
40 firming the commonwealth's ownership of any interest in real
41 property formerly held by a county pursuant to the provisions of
42 this section.

43 (d) Upon such transfer of the county courthouses, the buildings
44 and land shall be controlled by the commissioner of the division
45 of capital planning and operations on behalf of the commonwealth
46 and operated and maintained by the office of the chief administra-
47 tive justice of the trial court subject to the general superintendence
48 of the supreme judicial court.

49 (e) The commissioner of capital planning and operations shall
50 ensure that each sheriffs' office and registry of deeds retains space
51 at least equivalent to that occupied by said office or registry on
52 June 30, 1997.

53 (f) Notwithstanding the provisions of this act or any general or
54 special law to the contrary, the sheriffs of Barnstable, Essex, Ply-
55 mouth and Worcester counties may continue to operate farms on
56 land transferred to the commonwealth pursuant to this section.
57 Said land shall be operated, maintained, cultivated or improved by
58 the sheriff, with the labor of prisoners, for so long as it promotes
59 the rehabilitation of prisoners, provides food for the prisoners of
60 the jail, house of correction or other detention or correctional
61 facility or provides income to the sheriff's department. The com-
62 monwealth shall not sell, lease, rent or otherwise assign said land
63 at any time while it is being operated, maintained, cultivated or
64 improved as a farm by any of the sheriffs.

1 SECTION 222. (a) A special commission, to be known as the
2 special commission on county assets and debt, is hereby estab-
3 lished to provide for repayment of county debt to the common-
4 wealth and to provide for the disposition of certain properties to
5 be transferred to the commonwealth on July 1, 1998, and not
6 otherwise provided for in this act. Such properties include, but are
7 not limited to, county hospitals, Dukes county airport, Norfolk
8 county recreational facility, county beaches and courthouses of
9 historic or architectural significance the present primary user of
10 which is not the trial court. The commission shall also make rec-
11 ommendations to the governor and the general court concerning
12 the disposition of county functions or programs not otherwise pro-
13 vided for in this act, including but not limited to elimination, pri-
14 vatization in conformity with sections 52 to 55, inclusive, of
15 chapter 7 of the General Laws, or transfer of such functions or
16 programs to the commonwealth or any of its political subdivi-

17 sions. The commission shall have the following members: the sec-
18 retary of administration and finance, or his designee, who shall act
19 as chairperson, the commissioner of capital planning and opera-
20 tions or his designee, one member designated by the Massachu-
21 setts municipal association, the executive director of the
22 government land bank, and two members designated by the gov-
23 ernor. Members of the commission shall be appointed within 30
24 days of the passage of this act.

25 (b) All county officers and employees shall cooperate with the
26 commission by providing information necessary to the perfor-
27 mance of its duties, including, but not limited to, providing inven-
28 tories and lists of properties owned by the county as of the
29 effective date of this act and acquisitions and dispositions of such
30 property subsequent thereto.

31 (c) The commission shall review the report on county debt filed
32 pursuant to subsection (c) of section 219 and shall submit a plan
33 to the house and senate committees on ways and means for repay-
34 ment of the debt not later than May 1, 1998. Said plan may
35 include receipts from sale of assets of the county or a supple-
36 mental assessment on the cities and towns of the county to be
37 deducted from local aid payments over a period of not less than
38 five nor more than twenty years. Unless the general court changes
39 said plan by law, the secretary shall proceed with implementation
40 of the plan beginning on July 1, 1998. The commission may rec-
41 ommend that the governor declare an emergency and appoint a
42 receiver pursuant to section 218 if a county defaults on financial
43 obligations or is unable to operate its services before the sched-
44 uled state assumption of the services of said county.

45 (d) The commission shall establish objective criteria for the dis-
46 position or reuse of properties in possession of counties and trans-
47 ferred to the commonwealth by this act, and for the disposition of
48 county functions or programs, gathering pertinent information
49 with respect to each of the properties, functions and programs
50 being reviewed, holding public hearings as it deems appropriate,
51 and taking such other actions as it determines necessary. Under
52 the conditions shall the former jail located on Obery street in the
53 town of Plymouth be reopened or utilized as a correctional facility
54 of any type.

55 (e) The commission shall review petitions by regional councils
56 of government established pursuant to chapter 40Q of the General
57 Laws for ownership of certain former county properties. Where
58 the commission determines that the regional council of govern-
59 ment is financially capable of owning and operating a former
60 county property included in subsection (a), it may grant title of
61 said property to a regional council of government.

62 (f) The commission shall prepare a specific plan for the disposi-
63 tion or reuse of properties and county functions or programs.
64 Such a plan shall be submitted to the governor, the president of
65 the senate and the speaker of the house of representatives not later
66 than December 31, 1997.

67 (g) If no disposition of the following property functions or pro-
68 grams is made by law or otherwise before July 1, 1998, such prop-
69 erty and functions shall be transferred to the following state
70 agencies on July 1, 1998. The operation, care and control of all
71 former county hospitals and their associated lands, parking struc-
72 tures, fixtures and improvements shall be the responsibility of the
73 department of public health and the employees of such former
74 county hospitals shall be transferred to the commonwealth under
75 the control of the department of public health. The responsibility
76 for care, control and operation of any other such property shall be
77 in the agency designated by the commissioner of capital planning
78 and operations based on the use of such property and the areas of
79 expertise of such agency, except as otherwise provided by this act.

80 (h) No real property previously taken or acquired for the pur-
81 poses authorized by Article 97 of the Amendments to the Consti-
82 tution, and transferred to the commonwealth or to a regional
83 council of government pursuant to this section, section 221 or
84 other provision of this act, shall be used for other purposes or oth-
85 erwise disposed of, except in accordance with said Article 97 and
86 other provisions of law.

1 SECTION 223. County maps and all documents and records of
2 a county highway, engineering or surveyor's department shall be
3 transferred to the appropriate registry of deeds. All other county
4 records, maps and other official documents not transferred to the
5 commonwealth with the transfer of sheriff's offices, registries of
6 deeds, and court facilities shall be transferred to the state archives,
7 which shall provide adequate preservation and storage.

1 SECTION 224. Notwithstanding any general or special law to
2 the contrary, the terms of all county commissioners who hold
3 office on the effective date of this act shall expire on June 30,
4 1998.

1 SECTION 225. (a) All full-time maintenance, parking and
2 security employees of the counties are hereby transferred to the
3 trial court of the commonwealth as of July 1, 1998.

4 (b)(1) All sheriffs, deputies, jailers, superintendents, keepers,
5 assistants and other employees of sheriffs, employed on the effec-
6 tive date of this act in the discharge of their responsibilities set
7 forth in section 24 of chapter 37 and section 16 of chapter 126 of
8 the General Laws are hereby transferred to the service of the com-
9 monwealth without change in union representation and not subject
10 to section 28 of chapter 7, sections 45 or 46 of chapter 30 or
11 chapter 31 of the General Laws.

12 (2) Within six months after the effective date of this act, the
13 regional corrections coordinating board, in conjunction with the
14 various sheriffs, shall develop, establish and promulgate the per-
15 sonnel regulations applicable to sheriffs' department employees
16 required by clause (9) of subsection (c) of section 26 of chapter 37
17 of the General Laws, as appearing in this act.

18 (3) Nothing in this section shall be construed to confer upon
19 any person employed for less than 40 hours per week by a sher-
20 iff's process office to serve process pursuant to sections 11 to 15,
21 inclusive, of chapter 37 of the General Laws any right to employ-
22 ment with the commonwealth.

23 (4) All demands, notices, citations, writs, precepts, and all other
24 notices given by sheriffs, deputies, jailers, superintendents,
25 keepers, officers, assistants or other employees of sheriffs, before
26 the effective date of this act shall be valid, effective and contin-
27 uing in force according to the terms thereof for all purposes,
28 unless superseded, revised, rescinded or canceled in accordance
29 with law.

30 (5) All petitions, hearings, appeals, suits and other proceedings
31 duly brought against, and all petitions, hearings, appeals, suits,
32 prosecutions and other legal proceedings begun by sheriffs,
33 deputies, jailers, superintendents, keepers, officers, assistants or
34 other employees of sheriffs, as the case may be, which are

35 pending immediately before the effective date of this act, shall
36 continue unabated and remain in force notwithstanding the pas-
37 sage of this act.

38 (6) All records maintained by sheriffs, deputies, jailers, super-
39 intendants, keepers, officers, assistants and other employees of the
40 sheriffs prior to the effective date of this act shall continue to
41 enjoy the same status in any court or administrative proceeding,
42 whether pending on the effective date of this act or commenced
43 thereafter, as they would have enjoyed in the absence of the pas-
44 sage of this act.

45 (c) All officers and employees of counties transferred to the
46 service of the commonwealth shall be transferred with no impair-
47 ment of seniority, retirement or other rights of employees, without
48 reduction in compensation or salary grade and without change in
49 union representation, except as otherwise provided in this act.
50 Any function, right, power, duty or other statutory authority
51 which, prior to the effective date of this act, was assigned to, exer-
52 cised by or performed by the officers and employees of counties
53 transferred to the service of the commonwealth shall continue to
54 be assigned to, exercised by or performed by said officers or
55 employees after said transfer, unless and until modified in accor-
56 dance with the provisions of this act or other provisions of law.
57 Any collective bargaining agreement in effect for such transferred
58 employees on said effective date of transfer shall continue as if
59 the employees had not been so transferred, until the expiration
60 date thereof. All petitions, hearings, appeals and other proceed-
61 ings duly brought before the sheriff or brought by the county offi-
62 cers and employees or their union representative shall continue
63 unabated and remain in force notwithstanding the passage of this
64 act. Nothing in this section shall be construed to confer upon any
65 employee any right not held immediately prior to the date of said
66 transfer, or to prohibit any reduction of salary or grade, transfer,
67 reassignment, suspension, discharge, layoff or abolition of posi-
68 tion not prohibited prior to such date. The secretary of administra-
69 tion and finance may, at his option, transfer to the county treasurer
70 funds appropriated for the compensation of former county
71 employees transferred to the commonwealth, and said county trea-
72 surer shall provide for the payment of such compensation during
73 such interim period as said secretary shall direct.

74 (d) Employees of the county agricultural schools shall suffer no
75 impairment of seniority, retirement or other rights of employees as
76 a result of the provisions of this act, and shall maintain all existing
77 rights to union representation pursuant to chapter 150E of the
78 General Laws, without regard to the identity of any successor
79 employer. Pending implementation of the regulations to be prom-
80 ulgated pursuant to section 243, the trustees of the county agricul-
81 tural schools shall be the employer for purposes of said
82 chapter 150E. Any collective bargaining agreement in effect for
83 such employees on the effective date of this act or in effect on the
84 date of any future transfer of such employees to state service shall
85 continue in effect until the expiration thereof.

1 SECTION 226. The Massachusetts land records commission
2 and the regional corrections coordinating board shall each conduct
3 studies to develop comprehensive personnel salary and classifica-
4 tion schedules for the registers of deeds and the sheriffs and for all
5 employees of the several registries of deeds and sheriffs, respec-
6 tively, in order to eliminate disparities between similar positions
7 in different counties or districts. Each such commission shall file a
8 report of its study with the governor and with the house and senate
9 committees on ways and means not later than February 1, 1998.

1 SECTION 227. Notwithstanding the provisions of any general
2 or special law to the contrary, no board, commission, officer or
3 department of any county shall enter into any collective bar-
4 gaining agreement or other contract that will be operative after
5 June 30, 1998, but existing agreements may be extended to a
6 period not more than six months after the date of transfer of func-
7 tions to the commonwealth or abolition of the county.

1 SECTION 228. (a) No county employee hired after January 1,
2 1997 shall be considered to have any right of transfer to state
3 service; provided, however, that such employees may be trans-
4 ferred upon the approval of the regional corrections coordinating
5 board in the case of employees of a sheriff; the Massachusetts
6 land records commission in the case of employees of a register of
7 deeds; the chief justice for administration and management of the
8 trial court in the case of employees assigned to court facilities;

9 and the secretary of administration and finance in the case of all
10 other employees.

11 (b) No new county employee, except to fill an existing vacancy
12 in a position established before January 1, 1997, may be hired
13 after the effective date of this act without the written authorization
14 of the secretary of administration and finance or his designee.

15 (c) No county employee shall receive an increase in compensa-
16 tion, except for step increases as provided in an approved collec-
17 tive bargaining agreement or non-union personnel schedule
18 adopted before January 1, 1997.

19 (d) Rights of transferred employees and retirees for group
20 insurance shall continue to remain in force.

21 (e) Full-time appointed county employees whose positions are
22 terminated rather than transferred to the commonwealth shall be
23 given priority consideration for any openings in state service for
24 positions for which they may be qualified by training and
25 experience.

1 SECTION 229. (a) The state retirement system shall assume
2 responsibility for the unfunded pension liability of the county
3 retirement systems that pertains to employees and retirees of the
4 counties.

5 (b) Those city, town and district systems which have been part
6 of, or managed by, a county retirement system shall remain in said
7 county system. Cities and towns which are required to pay assess-
8 ments into the county retirement system or which elect to join or
9 continue to participate in the new county retirement system, shall
10 continue to be assessed on the cherry sheet and the department of
11 revenue shall credit such pension assessments to the respective
12 funds. There will continue to be an effort to reach self-amortiza-
13 tion status for all pension plans as required by current law.

14 (c) The incumbent county treasurer shall, as of July 1, 1998,
15 become the acting chairman of the county retirement board and
16 health plan and shall serve as such until January 1, 2002, or until
17 the county retirement board elects a fifth member and chairman,
18 whichever occurs first; provided, however, that the board shall not
19 elect a chairman prior to January 1, 1999. Said acting chairman
20 shall be eligible to be elected to serve as chairman. If at any time
21 an incumbent county treasurer does not accept the position of

22 acting chairman or if a vacancy occurs, the position shall be filled
23 pursuant to subsection (3) of section 20 of chapter 32 of the
24 General Laws, as amended by this act. A county retirement board
25 that elects to retain the county treasurer as chairman after
26 January 1, 1999, shall, on or before March 1, 1999, file a report
27 with the public employee retirement administration commission
28 stating the organizational structure of the board, including, but not
29 limited to, the salary and duties of said chairman.

30 (d) The administration of any existing health and insurance
31 plans shall be transferred to the county retirement board reconsti-
32 tuted by this act. The transfer shall provide that no loss of benefits
33 or participation shall occur to current enrollees. The responsibility
34 for any employer contribution to the plan shall remain with the
35 participating units of government, and in the case of county con-
36 tribution shall be apportioned among the several communities of
37 the former county.

1 SECTION 230. All county employees who become state
2 employees under this act and who are eligible for group insurance
3 coverage provided under chapter 32B of the General Laws or who
4 are insured under said chapter shall, upon becoming state
5 employees, have said eligibility and coverage transferred to the
6 jurisdiction of the group insurance commission and said
7 employees shall cease to be eligible or insured under the provi-
8 sions of chapter 32B.

9 The group insurance commission shall provide uninterrupted
10 coverage for group life and accidental death and dismemberment
11 insurance and group general or blanket insurance providing hos-
12 pital, surgical, medical, dental and other health insurance benefits
13 to the extent authorized by the provisions of chapter 32A of the
14 General Laws; provided, however, that prior county employees
15 who were covered by a collective bargaining agreement on the
16 date of said transfer shall continue to receive the group insurance
17 benefits required by their respective collective bargaining agree-
18 ments until the expiration date of said agreements. All questions
19 relating to group insurance rights shall be determined by the group
20 insurance commission, including the manner and method for the
21 payment of all required premiums applicable to all such coverage.

1 SECTION 231. Retired employees of the counties and the sur-
2 viving spouses of active or retired county employees who are eli-
3 gible for group insurance coverage provided under chapter 32B of
4 the General Laws or who are insured under said chapter shall have
5 said eligibility and coverage transferred to the jurisdiction of the
6 group insurance commission and said persons shall cease to be
7 eligible or insured under the provisions of said chapter 32B.

8 The group insurance commission shall provide uninterrupted
9 coverage for group life and accidental death and dismemberment
10 insurance and group general or blanket insurance providing hos-
11 pital, surgical, medical, dental and other health insurance benefits
12 to the extent authorized by the provisions of chapter 32A of the
13 General Laws. All questions relating to group insurance rights
14 shall be determined by the group insurance commission, including
15 the manner and method for the payment of all required premiums
16 applicable to all such coverage.

1 SECTION 232. Each county's obligation to its employees who
2 become state employees and who are covered under a health and
3 welfare trust fund agreement established under section 15 of
4 chapter 32B of the General Laws pursuant to a collective bar-
5 gaining agreement shall continue until the expiration date of the
6 collective bargaining agreement. Such obligations under said
7 health and welfare trust fund agreements shall become the obliga-
8 tion of the human resources division and shall continue until the
9 expiration date of said collective bargaining agreements.

1 SECTION 233. Any trust fund monies in the possession of a
2 county treasurer pursuant to section 8A of chapter 32B of the
3 General Laws are hereby transferred to the group insurance com-
4 mission trust fund established by section 9 of chapter 32A of the
5 General Laws.

1 SECTION 234. Any claims trust fund monies in the possession
2 of a county treasurer pursuant to section 3A of chapter 32B of the
3 General Laws are hereby transferred to the group insurance com-
4 mission; provided, however, that if any city, town or district par-
5 ticipates in a county's group insurance plans pursuant to
6 section 11 of said chapter 32B or jointly purchases insurance with

7 a county pursuant to section 12 of said chapter 32B, the pro rata
8 share of the excess shall be returned to the participating city, town
9 or district.

10 Each county treasurer shall provide the group insurance com-
11 mission with an accounting of the claims trust fund which shall be
12 for the period July 1, 1997 through June 30, 1998 and shall
13 include a calculation of the employee, retiree and surviving
14 spouse contributions that are in excess of the claims costs and
15 expenses of the plans for which the contributions were made.

1 SECTION 235. The actuary of the division of insurance shall
2 determine the costs attributable to the payment of benefits to or on
3 behalf of county employees who retired on or before July 1, 1998,
4 pursuant to paragraph (g) of subdivision (3) of section 20 of
5 chapter 32 of the General Laws.

1 SECTION 236. The two elected members of a county retire-
2 ment board and the member thereof elected by the county retire-
3 ment board advisory council, who hold office on the effective date
4 of this act pursuant to paragraph (b) of subdivision (3) of
5 section 20 of chapter 32 of the General Laws, shall continue in
6 office until their terms expire. The chairman and fifth member of
7 said board shall be selected as provided in said subdivision (3) not
8 later than September 15, 1998.

1 SECTION 237. Any vacancy arising in the office of county
2 commissioner or county treasurer before July 1, 1998 may be
3 filled temporarily by appointment by the governor.

1 SECTION 238. All employees who serve in the several reg-
2 istries of deeds on the effective date of this act shall become
3 employees of the commonwealth, and shall be entitled to all the
4 rights and privileges of employees of the department of the state
5 secretary. Accumulated time of creditable service, vacation, sick
6 leave, and personal leave shall be credited to such employees and
7 transferred to the books of the Massachusetts land records com-
8 mission. No such employee shall lose any accumulated time of
9 creditable service, vacation, sick leave, and personal leave due
10 prior to the effective date of this act. All questions relating to per-

11 sonnel rights and privileges shall be determined by the department
12 of the state secretary, unless the determination thereof with
13 respect to employees of the commonwealth generally is provided
14 for in some other manner.

1 SECTION 239. Notwithstanding any other provision of this
2 act, personnel employed in the registries of deeds prior to the
3 effective date of this act shall continue to serve therein without
4 reduction in compensation and without loss of seniority, vacation,
5 or retirement rights on account of their transfer pursuant to this
6 act. The provisions of this section shall not be interpreted so as to
7 prevent any person employed by the registries of deeds from
8 being removed in the manner provided by law.

1 SECTION 240. All duly existing contracts, including collec-
2 tive bargaining agreements, leases, and obligations of any registry
3 of deeds, or of any county on behalf of a registry of deeds, which
4 are in force preceding the effective of this act, shall be performed
5 by the Massachusetts land records commission upon the effective
6 date of this act. All questions regarding the identification of such
7 contracts, leases, and obligations shall be determined by the com-
8 mission. All supplies, equipment, furniture, books, files, fixtures,
9 and other items which are used or substantially used by the reg-
10 istries of deeds preceding the effective date of this act shall
11 become the property of the commission upon the effective date of
12 this act.

1 SECTION 241. The Massachusetts land records commission
2 shall review all existing registry of deeds recording fees pursuant
3 to sections 38 and 39 of chapter 262 of the General Laws, and
4 make recommendations to the general court concerning adjust-
5 ments to such fees to meet the operational needs of the registries
6 of deeds.

1 SECTION 242. Title to all real estate and personal property
2 held by a county for the use of its agricultural schools shall vest in
3 the trustees and all remaining funds appropriated for the use of
4 any agricultural school are hereby transferred to the county agri-
5 cultural schools.

1 SECTION 243. The department of education is hereby autho-
2 rized and directed to promulgate regulations for the operation,
3 maintenance, improvement and development of county agricul-
4 tural schools:

5 (a) regulations pursuant to which the department's supervisory
6 authority with respect to said agricultural schools shall be exer-
7 cised, including governance, programs, facilities, transportation
8 and any other matters related to the appropriate operation of said
9 schools, and

10 (b) regulations concerning the appropriate method for funding
11 said agricultural schools, which may include provisions for
12 imposing reasonable annual assessments on each city and town
13 within the county in which said schools are located, upon each
14 city and town in which students of the schools reside, or a combi-
15 nation of both.

16 The regulations to be promulgated pursuant to this section,
17 together with any legislation the department considers necessary
18 for the effective supervision, operation or financing of said
19 schools, shall be filed with the joint committee on education and
20 with the house and senate committees on ways and means not
21 later than December 1, 1997. Said regulations shall take effect on
22 July 1, 1998, unless amended by law.

1 SECTION 244. The terms of county commissioners serving as
2 trustees of county agricultural schools shall expire on June 30,
3 1998.

1 SECTION 245. The associate degree program currently offered
2 by the Essex Agricultural and Technical Institute shall be trans-
3 ferred to the joint administration of Salem State College and
4 North Shore Community College. The board of trustees of the
5 Institute shall enter into a cooperative agreement with said col-
6 leges regarding the use of Institute facilities for continued opera-
7 tion of said program on the Institute campus.

1 SECTION 246. The extension service of the University of
2 Massachusetts shall prepare a report relative to the services that
3 may be provided to residents of the counties of Barnstable, Nor-
4 folk and Plymouth by their former county extension services and

5 also the Holyoke Home Information Center and the East Long-
6 meadow Home Information Center, both in the county of Hamp-
7 den, the need for continuation of those services, and the
8 advisability for the commonwealth to appropriate funds to make
9 up for any loss of county funds supporting those services. The
10 University shall file said report with the special commission on
11 county assets and debt and with the house and senate committees
12 on ways and means not later than February 1, 1998.

1 SECTION 247. Beginning in fiscal year 1999 and continuing
2 for the duration of the amortization period established pursuant to
3 subsection (c) of section 222, the state treasurer, under the provi-
4 sions of section 20 of chapter 59 of the General Laws, shall annu-
5 ally assess to each city and town in counties whose liabilities
6 exceeded their assets a charge equal to the amount of the munici-
7 pality's county tax assessed under the former provisions of
8 chapter 35 of the General Laws for fiscal year 1998. The amount
9 of such assessment shall remain the same each fiscal year, except
10 that it may be less in the last year of the amortization period.

1 SECTION 248. Sheriffs shall be the employer for all purposes
2 under chapter 150E of the General Laws for all of their employees
3 whose employment as of July 1, 1997 is subject to collective bar-
4 gaining agreements. At the expiration of existing collective bar-
5 gaining agreements for sheriffs' employees, sheriffs' powers and
6 duties shall be subject to subsection (e) of section 26 of chapter 37
7 of the General Laws, inserted by this act.

1 SECTION 249. In Nantucket county, chapter 264 of the acts of
2 1979 shall not apply to deputies and employees of the sheriff's
3 process office.

1 SECTION 250. The regional council of government established
2 pursuant to chapter 420 of the acts of 1989 shall be deemed to
3 have complied with the provisions of chapter 40Q of the General
4 Laws, inserted by this act.

1 SECTION 251. Any regional council of government estab-
2 lished pursuant to section 567 of chapter 151 of the acts of 1996

3 shall be deemed to have complied with the provisions of
4 chapter 40Q of the General Laws, inserted by this act.

1 SECTION 252. The Massachusetts land records commission
2 shall prepare a study of the needs of the commission and the
3 respective registries of deeds for automated systems, communica-
4 tions equipment, software and other systems in order to establish a
5 modern and uniform deeds recording system for the common-
6 wealth. Said commission shall file its report with the house and
7 senate committees on ways and means not later than December 1,
8 1997.

1 SECTION 253. The trustees of the Norfolk County Hospital
2 shall develop a plan, including recommendations for legislation,
3 to provide for the continued operation of the hospital after July 1,
4 1998. The plan shall include consideration of the establishment of
5 a hospital authority or other organizational models. The trustees
6 shall file the plan with the special commission on county assets
7 and debt and with the house and senate committees on ways and
8 means not later than February 1, 1998.

1 SECTION 254. (a) Notwithstanding the provisions of any
2 general or special law to the contrary, all regular deductions and
3 additional deductions plus regular interest thereon credited to the
4 accounts of the active or retired members of any retirement
5 system who become active or retired members of the state
6 employees' retirement system pursuant to this act shall be trans-
7 ferred to the state employees' retirement system and credited to
8 accounts of such members in said system. The public employee
9 retirement administration commission shall determine the ratio of
10 assets to liabilities for each such retirement system, and, in the
11 event said ratio is greater than the ratio of assets transferred to the
12 said state employees' retirement system to liabilities assumed by
13 said state employees' retirement system resulting from the provi-
14 sions of this act, the retirement system shall transfer to said state
15 employees' retirement system an amount which, when combined
16 with the transfers related to members accounts, equalizes the ratio
17 of retirement system assets to liabilities and the ratio of trans-
18 ferred assets to assumed liabilities. Transfers pursuant to this

19 section shall take place on the date the members become members
20 of said state employees' retirement system or in accordance with a
21 schedule to be established by said commission; provided, how-
22 ever, that the rate of interest employed in the most recent actuarial
23 valuation of said state employees' retirement system shall be
24 charged on any amounts not transferred on the date the members
25 become members of said state employees' retirement system.
26 Transfers pursuant to this section shall substitute for, and be
27 deemed to have satisfied, reimbursements required by para-
28 graph (c) of subsection (8) of section 3 of chapter 32 of the
29 General Laws. To the extent possible, said commission shall
30 endeavor to limit harm to the remaining assets and liabilities of
31 county retirement systems and said commission may, in its sole
32 discretion, accept in-kind assets from said systems.

33 (b) Said commission shall conduct an actuarial valuation of the
34 state employees' retirement system as of January 1, 1998. On or
35 before March 15, 1998, said commission shall file with the joint
36 committee on public service, and the house and senate committees
37 on ways and means a revised funding schedule based on the
38 results of said valuation. Said schedule shall be deemed to have
39 been approved sixty days after such filing and shall supersede the
40 funding schedule in place as of January 1, 1998.

41 (c) Said commission is hereby further directed to study the fea-
42 sibility of merging county retirement systems or units thereof sub-
43 ject to the approval of each of the member units to form larger
44 regional pension systems or to merge with the state retirement
45 system in order to remain financially viable once the liabilities
46 and assets of the transferred employees are transferred. The com-
47 mission shall make a report of its findings and recommendations,
48 including recommendations of implementing legislation, to the
49 general court by filing it with the clerks of the senate and house of
50 representatives not later than June 30, 1998.

51 (d) Said commission is hereby further directed to estimate the
52 retirement costs of those former county employees not transferred
53 to state service, including the costs of an early retirement incen-
54 tive program in which said employees may elect to add five years
55 to either their age or years of service in computing retirement ben-
56 efits. The commission shall submit its analysis and recommenda-
57 tions to the public service committee and the house and senate
58 committees on ways and means not later than December 31, 1997.

1 SECTION 255. Notwithstanding the provisions of any general
2 or special law to the contrary, all revenues generated by all reg-
3 istries of deeds, including but not limited to, deeds excise taxes,
4 so-called and registries of deeds fees, so-called, shall be deposited
5 into the General Fund.

1 SECTION 256. In the fiscal year ending June 30, 1998, each
2 sheriff's office and registry of deeds shall retain the use and occu-
3 pancy of all real property owned or held by a county as was so
4 used or occupied by said office or registry on June 30, 1997,
5 without rent, other charge or diminution in services provided to it
6 by the county.

1 SECTION 257. Notwithstanding the provisions of clause forty-
2 first of section 7 of chapter 4 of the General Laws or any other
3 general or special law to the contrary, the commissioner of rev-
4 enue or other official responsible for a local reimbursement or
5 assistance program reported by said commissioner pursuant to
6 section 25A of chapter 58 of the General Laws shall use the 1994
7 city and town population estimates of the United States Bureau of
8 the Census in calculating distributions or assessments under such
9 local reimbursement or assistance programs. Such distribution
10 programs shall include, but not be limited to, the school aid pro-
11 gram established under the provisions of chapter 70 of the General
12 Laws and regional public libraries. Such assessments shall
13 include, but not be limited to, air pollution control districts, the
14 Metropolitan Area Planning Council, the Old Colony Planning
15 Council, the Massachusetts Bay Transportation Authority and any
16 other entity for which said commissioner is required to give notice
17 pursuant to said section 25A.

1 SECTION 258. Notwithstanding the provisions of any general
2 or special law to the contrary, the commissioner of employment
3 and training and the secretary of economic affairs shall maintain a
4 regional department of employment and training office in the city
5 of Pittsfield which shall be accessible and open for claims and job
6 assistance counseling; provided, that the secretary of elder affairs
7 shall maintain a regional office of elder services in the city of
8 Pittsfield; provided further, that the commissioner of the depart-

9 ment of highways and the secretary of transportation and con-
10 struction shall maintain a department of highways district one
11 administrative office in the town of Lenox; provided further, that a
12 department of highways district two administrative office shall be
13 maintained in the city of Northampton; provided, that the commis-
14 sioner of highways is hereby directed to maintain staffing levels
15 of at least one district highway engineer director, one district con-
16 struction engineer, one maintenance engineer and one administra-
17 tive manager in each of said offices; provided further, that the
18 commissioner and the secretary of health and human services shall
19 maintain a regional transitional assistance office in the city of
20 Pittsfield; provided further, that the commissioner of youth serv-
21 ices and the secretary of health and human services shall maintain
22 a regional youth services office in the city of Pittsfield; provided
23 further, that the commissioner of social services and the secretary
24 of health and human services shall maintain a regional social serv-
25 ices office in the city of Pittsfield; provided further, that the com-
26 missioner of mental retardation and the secretary of health and
27 human services shall maintain a regional office in the city of Pitts-
28 field; provided further, that the commissioner of revenue and the
29 secretary of administration and finance shall maintain a regional
30 department of revenue office in the city of Pittsfield.

1 SECTION 259. Notwithstanding the provisions of section 30
2 of chapter 29 of the General Laws or any other general or special
3 law to the contrary, the division of energy resources is hereby
4 authorized to procure, in accordance with all applicable procure-
5 ment and solicitation laws, comprehensive motor vehicle insur-
6 ance coverage for electric vehicles purchased for use in the
7 commonwealth's electric vehicle demonstration program; pro-
8 vided, however, that nothing in this section shall be construed so
9 as to require any additional state appropriated funds for the divi-
10 sion of energy resources; and provided further, that such coverage
11 may continue or be renewed until the conclusion of said electric
12 vehicle demonstration program.

1 SECTION 260. Notwithstanding the provisions of section 17
2 of chapter 44 of the General Laws, the officers of a city, town or
3 regional school district authorized to issue bonds, notes or certifi-

4 cates of indebtedness for a school construction project, for which
5 it has received notice that it has filed a complete school building
6 assistance application with the department of education and that
7 the project has been placed by the department on the school
8 building assistance priority list, may refund, by the issuance of
9 refunding notes, a temporary loan issued in anticipation of money
10 to be derived from the sale of such bonds, notes or certificates;
11 provided, however, that the period from the date of issue of the
12 original temporary loan to the final maturity of any such refunding
13 notes shall not exceed five years and; provided further, that such
14 refunding notes need not be paid in part from revenue funds of the
15 city, town or regional school district until the end of the fiscal
16 year following the fiscal year in which the board of education
17 approves the project for a school construction grant pursuant to
18 the provisions of chapter 645 of the acts of 1948 or any successor
19 school construction grant statute. The time within which the serial
20 bonds, notes or certificates of indebtedness issued to pay
21 refunding temporary notes issued hereunder must be due and
22 payable shall be extended by the period from the date of the orig-
23 inal temporary loan to (a) the date of issue of such serial bonds,
24 notes or certificates or (b) the end of the fiscal year in which the
25 board of education approves the project for a school construction
26 grant, whichever date is earlier.

1 SECTION 261. Notwithstanding the definition of "Net school
2 spending" in section 2 of chapter 70 of the General Laws, for the
3 purpose of calculating the minimum required local contribution
4 for fiscal year 1998, pursuant to chapter 70 of the General Laws,
5 the department of education shall consider health care costs for
6 retired teachers to be part of net school spending for any town in
7 which health care costs for retired teachers were considered to be
8 part of net school spending in fiscal year 1994. The department
9 shall not consider health care costs for retired teachers to be part
10 of net school spending for any district in which such costs were
11 not considered part of net school spending in fiscal year 1994. If
12 there is any conflict between the provisions of this section and the
13 distributions listed in section 3, the provisions of said section 3
14 shall control.

1 SECTION 262. Notwithstanding the provisions of section 6 of
2 chapter 211D of the General Laws, the committee for public
3 counsel services is hereby authorized and directed to continue a
4 pilot program serving Essex and Hampden counties utilizing attor-
5 neys of its public counsel division to represent indigent persons
6 entitled to be represented in children-family law cases, so called,
7 including, but not limited to, care and protection cases pursuant to
8 chapter 119 of the General Laws, child in need of services cases
9 pursuant to section 39E of chapter 119 of the General Laws,
10 actions to dispense with parental consent for adoption pursuant to
11 chapter 210 of the General Laws, and guardianship of minor peti-
12 tions pursuant to chapter 201 of the General Laws. Said com-
13 mittee for public counsel services shall file with the house and
14 senate committees on ways and means on or before September 1,
15 1998, a report detailing the results of said pilot program including
16 cost, quality and accountability of the provision of counsel
17 through said pilot program, as compared to contracting out such
18 cases to private counsel through request for proposal procedures
19 and as compared to individual assignments of such cases to certi-
20 fied private counsel of the private counsel division of the com-
21 mittee for public counsel services; provided, that said pilot
22 program shall be limited to the period of July 1, 1997 to June 30,
23 1998.

1 SECTION 263. Notwithstanding the provisions of chapter 490
2 of the acts of 1980, the division of housing and community devel-
3 opment may authorize neighborhood housing services corpora-
4 tions to retain and reloan funds received in repayment of loans
5 made pursuant to the neighborhood housing services rehabilitation
6 program.

1 SECTION 264. The departments of mental retardation, public
2 health, and education are hereby directed to continue the three
3 regional pilot projects to develop networks of support for families
4 with children of school age or younger with developmental dis-
5 abilities or chronic illness, as authorized in section 235 of
6 chapter 38 of the acts of 1995.

1 SECTION 265. (a) Notwithstanding the provisions of any
2 general or special law to the contrary, on or after July 1, 1997, a
3 person who is not a citizen of the United States shall not be eli-

4 gible for benefits pursuant to chapter 117A of the General Laws;
5 provided, however, that any categories of immigrants lawfully
6 present in the United States who are not ineligible for federal sup-
7 plemental security income benefits pursuant to Title XVI of the
8 federal Social Security Act because of their status as non-citizens
9 shall not be ineligible because of such status for benefits under
10 said chapter 117A.

11 (b) A person who is not a citizen of the United States but who
12 is a qualified alien within the meaning of section 431 of the Per-
13 sonal Responsibility and Work Opportunity Reconciliation Act of
14 1996, 8 U.S.C. section 1641, or is otherwise permanently residing
15 in the United States under color of law, shall be eligible for bene-
16 fits from a separate program of assistance, which shall be known
17 as the program of Supplemental Emergency Aid to the Elderly,
18 Disabled and Children. Such program shall, subject to appropria-
19 tion, provide to such persons who meet the eligibility standards
20 applicable to the program established pursuant to said
21 chapter 117A, except the requirement related to citizenship, the
22 same level of benefits as he would be eligible to receive pursuant
23 to said chapter 117A but for his non-citizen status. The number of
24 assistance units receiving such benefits at any one time shall not
25 exceed the number of assistance units comprised of qualified
26 aliens or persons permanently residing in the United States under
27 color of law which were receiving benefits pursuant to said
28 chapter 117A as of June 1, 1997, plus 15,600 assistance units;
29 provided, however, that if the Personal Responsibility and Work
30 Opportunity Reconciliation Act of 1996, so-called, is amended to
31 allow qualified aliens who were in the United States on
32 August 22, 1996 but not persons permanently residing in the
33 United States under color of law to be eligible for federal supple-
34 mental security income benefits, the department shall immediately
35 file a report with the house and senate committees on ways and
36 means and the joint committee on human services and elderly
37 affairs proposing a revised maximum number of assistance units
38 for the program established by this section. Such program shall be
39 subject to appropriation and shall not constitute an entitlement
40 program. To the maximum extent deemed feasible by the depart-
41 ment, persons qualified for the program established by this sub-
42 section who were receiving benefits pursuant to said chapter 117A

43 on June 30, 1997 but who are rendered ineligible for such benefits
44 pursuant to subsection (a) shall be automatically transferred to the
45 program provided by this subsection without being required to
46 reapply for such benefits.

47 (c) A person who was not receiving benefits pursuant to said
48 chapter 117A on June 30, 1997 and who applies for benefits pur-
49 suant to subsection (b) on or after July 1, 1997, shall be eligible to
50 receive such benefits only if he (1) is not eligible for, and has not
51 unreasonably failed to apply for, federal supplemental security
52 income benefits, federally funded transitional assistance to needy
53 families benefits pursuant to Title IVA of the federal Social Secu-
54 rity Act, unemployment compensation pursuant to chapter 151A
55 of the General Laws, or veterans' services benefits pursuant to
56 chapter 115 of the General Laws; (2) is engaged in efforts to
57 become a citizen of the United States, to the extent he is physi-
58 cally and mentally capable of doing so and if he is eligible to
59 become a citizen within the next three years; and (3) to the extent
60 he is covered by an immigrant sponsor support agreement pur-
61 suant to section 231A(a) of the federal Immigration and Nation-
62 ality Act, 8 U.S.C. section 1183a(a), inserted by section 423 of the
63 Personal Responsibility and Work Opportunity Reconciliation Act
64 of 1996, takes all reasonable steps to cooperate with the depart-
65 ment of revenue and the department of transitional assistance in
66 such agencies' reasonable efforts to enforce any such agreement
67 applicable to the recipient.

68 (d) The department of transitional assistance shall, on or before
69 July 1, 1997, promulgate regulations implementing this section,
70 including good cause exceptions to clauses (1) to (3), inclusive, of
71 subsection (c), which shall take into account the emergency needs
72 of bona fide residents of the commonwealth and the requirements
73 of section 412(b) of the Personal Responsibility and Work Oppor-
74 tunity Reconciliation Act, 8 U.S.C. section 1622(b). On or before
75 July 1, 1997, the department shall also notify the house and senate
76 committees on ways and means of the department's calculation of
77 the maximum number of assistance units that may at any one time
78 receive benefits pursuant to the program provided in
79 subsection (b).

80 (e) Notwithstanding the foregoing, the provisions of this
81 section shall be suspended effective on the day that any amend-
82 ments to the Personal Responsibility and Work Opportunity Rec-

83 onconciliation Act of 1996, which allow all qualified aliens and all
84 persons permanently residing in the United States under color of
85 law to be eligible for federal supplemental security income,
86 become effective.

1 SECTION 266. (a) Notwithstanding the provisions of any
2 general or special law to the contrary, on or after July 1, 1997, a
3 person who is not a citizen of the United States, and for whom,
4 pursuant to sections 401, 402 or 403 of the Personal Responsi-
5 bility and Work Opportunity Reconciliation Act of 1996, 8 U.S.C.
6 section 1611, 1612 or 1613, federal funds may not be used to pro-
7 vide benefits pursuant to chapter 118 of the General Laws, as
8 modified by section 110 of chapter 5 of the acts of 1995, shall not
9 be eligible for benefits pursuant to said chapter 118.

10 (b) A person who is not a citizen of the United States, and for
11 whom, pursuant to section 401, 402 or 403 of the Personal
12 Responsibility and Work Opportunity Reconciliation Act of
13 1996, 8 U.S.C. section 1611, 1612 or 1613, federal funds may not
14 be used to provide benefits pursuant to said chapter 118, but who
15 is a qualified alien within the meaning of section 431 of the Per-
16 sonal Responsibility and Work Opportunity Reconciliation Act of
17 1996, 8 U.S.C. section 1641, or is otherwise permanently residing
18 in the United States under color of law, shall be eligible for a sep-
19 arate program of assistance which shall be known as the program
20 of Supplemental Transitional Aid to Families with Dependent
21 Children. Such program shall, subject to appropriation, provide to
22 such persons who meet the eligibility standards applicable to the
23 program established pursuant to said chapter 118, except the
24 requirement related to citizenship and availability of federal
25 funding, the same level of benefits as he would be eligible to
26 receive pursuant to said chapter 118 but for his non-citizen status.
27 The number of assistance units receiving such benefits at any one
28 time shall not exceed the number of assistance units comprised of
29 qualified aliens or persons permanently residing in the United
30 States under color of law which were receiving benefits pursuant
31 to said chapter 118 on June 1, 1997, but for which federal funds
32 could not be used to provide such benefits, pursuant to
33 section 401, 402 or 403 of the Personal Responsibility and Work
34 Opportunity Reconciliation Act of 1996, 8 U.S.C. section 1611,

35 1612 or 1613, plus 640. To the maximum extent deemed feasible
36 by the department, persons qualified for the program established
37 by this subsection who were receiving benefits pursuant to said
38 chapter 118 on June 30, 1997 but who are rendered ineligible for
39 such benefits pursuant to subsection (a) shall be automatically
40 transferred to the program provided by this subsection without
41 being required to reapply for such benefits.

42 (c) A person who was not receiving benefits pursuant to said
43 chapter 118 on June 30, 1997 and applies for benefits pursuant to
44 subsection (b) on or after July 1, 1997 shall be eligible to receive
45 such benefits only if he (1) is engaged in efforts to become a cit-
46 izen of the United States, to the extent he is physically and men-
47 tally capable of doing so and if he is eligible to become a citizen
48 within the next three years, and (2) to the extent he is covered by
49 an immigrant sponsor support agreement pursuant to
50 section 213A(a) of the federal Immigration and Nationality Act, 8
51 U.S.C. section 1183a(a), inserted by section 423 of the Personal
52 Responsibility and Work Opportunity Reconciliation Act of 1996,
53 takes all reasonable steps to cooperate with the department of rev-
54 enue and the department of transitional assistance in such agen-
55 cies' reasonable efforts to enforce any such agreement applicable
56 to the recipient.

57 (d) The department of transitional assistance, on or before
58 July 1, 1997, shall promulgate regulations implementing this
59 section, which shall include good cause exceptions to clauses (1)
60 and (2) of subsection (c), which shall take into account the emer-
61 gency needs of bona fide residents of the commonwealth and the
62 requirements of section 412(b) of the Personal Responsibility and
63 Work Opportunity Reconciliation Act, 8 U.S.C. section 1622(b).
64 On or before July 1, 1997, the department shall also notify the
65 house and senate committees on ways and means of the depart-
66 ment's calculation of the maximum number of assistance units
67 that may at any one time receive benefits pursuant to the program
68 provided in subsection (b).

1 SECTION 267. (a) Notwithstanding the provisions of any
2 general or special law to the contrary, eligibility for benefits pur-
3 suant to chapter 118E of the General Laws shall be determined
4 according to the eligibility requirements applicable under the state

5 plan for medical assistance, pursuant to 42 U.S.C. sections 1396a
6 through 1396v, inclusive, as in effect on July 16, 1996, and the
7 provisions of section 1931(b) of the Social Security Act,
8 42 U.S.C. section 1396u-1, as appearing in section 114 of the Per-
9 sonal Responsibility and Work Opportunity Reconciliation Act of
10 1996, including any such requirements with respect to immigra-
11 tion status that were in effect on July 16, 1996, subject only to the
12 provisions of chapter 203 of the acts of 1996 and such other modi-
13 fications as may be promulgated in regulations by the division of
14 medical assistance pursuant to the provisions of sec-
15 tion 1931(b)(2) of the Social Security Act, and without regard to
16 the provisions of section 1931(b)(3) thereof, the availability of
17 federal funding for such benefits, or the provisions of sections
18 401, 402 and 403 of the Personal Responsibility and Work Oppor-
19 tunity Reconciliation Act of 1996, 8 U.S.C. sections 1611, 1612
20 and 1613.

21 (b) Notwithstanding the provisions of subsection (a), a person
22 who is not a citizen of the United States, but who either is a quali-
23 fied alien within the meaning of section 431 of the Personal
24 Responsibility and Work Opportunity Reconciliation Act of 1996,
25 8 U.S.C. section 1641, or is otherwise permanently residing in the
26 United States under color of law, and who is not residing in a
27 long-term care facility as of June 30, 1997 and who applies on or
28 after July 1, 1997 for long-term care services pursuant to said
29 chapter 118E of the General Laws, and for whom, pursuant to
30 section 401, 402 or 403 of the Personal Responsibility and Work
31 Opportunity Reconciliation Act of 1996, 8 U.S.C. section 1611,
32 1612 or 1613, federal funds may not be used to provide benefits
33 pursuant to said chapter 118E, shall be eligible for long-term care
34 services only pursuant to a separate program which shall be
35 administered by the division of medical assistance. Such program
36 shall, subject to appropriation, provide to such persons who meet
37 the eligibility standards applicable to long-term care services pur-
38 suant to said chapter 118E the same level of such benefits as are
39 provided to eligible participants pursuant to said chapter 118E;
40 provided, however, that such program shall be subject to appropri-
41 ation and shall not constitute an entitlement program; and pro-
42 vided, further that the number of persons receiving long-term care
43 benefits pursuant to this subsection at any one time shall not

44 exceed the number that is equal to three percent of the total
45 number of persons who are not citizens of the United States but
46 are either qualified aliens within the meaning of section 431 of the
47 Personal Responsibility and Work Opportunity Reconciliation Act
48 of 1996, 8 U.S.C. section 1641, or persons otherwise permanently
49 residing under color of law and who are receiving long-term care
50 services pursuant to said chapter 118E as of June 1, 1997. The
51 division shall, on or before July 1, 1997, promulgate regulations
52 implementing this section.

53 (c) The division of medical assistance, effective July 1, 1997,
54 shall document, based on information provided by the applicants
55 to be verified as the department reasonably deems necessary, the
56 number and percentage of applicants for benefits pursuant subsec-
57 tion (b) who have moved into the commonwealth from another
58 state within the six months preceding their applications. The divi-
59 sion shall also document the number of cases closed due to a
60 recipient moving out of state or otherwise no longer receiving
61 such benefits. The division shall report this data to the house and
62 senate committees on ways and means on a monthly basis com-
63 mencing not later than August 14, 1997. On or before July 1,
64 1997, the department shall also notify the house and senate com-
65 mittees on ways and means of the department's calculation of the
66 maximum number of persons who may at any one time receive
67 benefits pursuant to the program provided in subsection (b).

1 SECTION 268. Notwithstanding the provisions of any general
2 or special law to the contrary, to the maximum extent allowed by
3 federal law, the commonwealth, including any department, board,
4 commission, division or authority, or subdivision thereof may,
5 subject to appropriation, provide state public benefits within the
6 meaning of section 411(c) of the federal Personal Responsibility
7 and Work Opportunity Act to any person, whether or not such
8 person is a citizen or is a qualified alien within the meaning of
9 section 431 of said Act, 8 U.S.C. section 1641, but only to the
10 extent that such person otherwise satisfies the applicable criteria
11 for such benefits.

1 SECTION 269. (a) Notwithstanding the provisions of any
2 general or special law to the contrary, effective July 1, 1996, there
3 is hereby established a temporary citizenship assistance program,

4 the purpose of which shall be to assist in becoming citizens of the
5 United States those persons who have been determined ineligible
6 for federally funded benefits because of their status as non-citi-
7 zens pursuant to sections 401, 402 or 403 of the federal Personal
8 Responsibility and Work Opportunity Reconciliation Act of 1996,
9 8 U.S.C. sections 1611, 1612 or 1613. Said program shall be
10 designed and administered by the office for refugees and immi-
11 grants; provided, however, that said program (1) shall be in exis-
12 tence for a period of no more than three years; (2) shall provide
13 assistance to persons who are eligible to become citizens of the
14 United States within three years; (3) shall afford assistance to per-
15 sons who have been determined ineligible for federally funded
16 benefits solely because of their status as non-citizens and are cur-
17 rently receiving state-funded benefits which could be replaced in
18 whole or in part by federally funded benefits if such persons
19 became citizens of the United States; (4) may be funded not only
20 through state appropriations but also through matching financial
21 or in-kind contributions by private organizations or local govern-
22 ment agencies; and (5) shall not be an entitlement program and
23 shall be subject to state appropriation. Nothing in this section
24 shall be construed to prevent the office for refugees and immi-
25 grants from providing citizenship assistance with federal or other
26 funds not appropriated from the general fund to persons not quali-
27 fying for the program established pursuant to this section; pro-
28 vided, however, that the provision of such assistance shall not
29 interfere with the delivery of assistance to such qualifying per-
30 sons.

31 (b) On or before October 1, 1997 and April 1, 1998, the office
32 of refugees and immigrants shall file with the joint committee on
33 human services and elderly affairs and the house and senate com-
34 mittees on ways and means a report describing the program in
35 detail and documenting the number of persons assisted and the
36 kinds of services received.

1 SECTION 270. Notwithstanding the provisions of any general
2 or special law to the contrary, effective July 1, 1997, the depart-
3 ment of transitional assistance shall document, based on informa-
4 tion provided by the applicants to be verified as the department
5 reasonably deems necessary, the number and percentage of new

6 applicants for benefits pursuant to sections 265 and 266 and chap-
7 ters 117A and 118 of the General Laws who have moved into the
8 commonwealth from another state within the six months pre-
9 ceding their applications. The department shall also document the
10 number of cases closed due to a recipient moving out of state or
11 otherwise no longer receiving such benefits. The department shall
12 report this data to the house and senate committees on ways and
13 means on a monthly basis commencing not later than August 15,
14 1997.

1 SECTION 271. Notwithstanding the provisions of any general
2 or special law to the contrary, any person applying on or after
3 July 1, 1997 for benefits pursuant to chapter 117A of the General
4 Laws, chapter 118 of the General Laws, as modified by
5 section 110 of chapter 5 of the acts of 1995, or section 265 or 266,
6 must, as a condition of establishing residency in the common-
7 wealth and eligibility for such benefits: (1) live in the common-
8 wealth for at least 60 consecutive days prior to receiving such
9 benefits; and (2) not have moved into the commonwealth for the
10 purpose of obtaining such benefits. On or before July 15, 1997,
11 the department of transitional assistance shall promulgate emer-
12 gency regulations implementing this section, which shall include
13 reasonable good cause exceptions to clause (1) to address the
14 emergency needs of bona fide residents of the commonwealth.

1 SECTION 272. (a) Notwithstanding the provisions of any
2 general or special law to the contrary, on or before July 15, 1997,
3 the department of transitional assistance shall by emergency regu-
4 lations develop and implement a program, pursuant to and in sat-
5 isfaction of section 6(o)(2) of the Food Stamp Act of 1977,
6 7 U.S.C. section 2015(o)(2), as appearing in section 824 of the
7 Personal Responsibility and Work Opportunity Reconciliation Act
8 of 1996, pursuant to which individuals subject to the work
9 requirements set forth in said section 6(o) may satisfy such
10 requirements by either (1) complying with the provisions of
11 106 CMR 362.320 through 362.340, inclusive, as revised effective
12 December 16, 1996, to the extent such provisions are consistent
13 with this section; or (2) participating in a program of community
14 service in which a position is available, or working in a vacant

15 position to which no laid off, terminated or currently employed
16 person has a statutory or contractual right to instatement or rein-
17 statement, for the number of hours per month that is determined
18 by dividing the dollar value of such individual's monthly food
19 stamp allotment by the state minimum wage rate or the federal
20 minimum wage rate, whichever is greater.

21 (b) To the extent not precluded by federal law, the department
22 shall by regulation provide that the following persons shall be
23 deemed to be participating in and complying with such program
24 or programs: persons making good faith, diligent and persistent
25 efforts, as reasonably determined by the department, to obtain a
26 placement in a program pursuant to clause (1) or (2) of subsec-
27 tion (a); persons 20 years of age or younger who are regularly
28 attending high school or participating in a high school graduate
29 equivalency degree program; and other categories of persons rea-
30 sonably determined by the department.

1 SECTION 273. Notwithstanding the provisions of any general
2 or special law to the contrary, the comptroller is hereby authorized
3 and directed to transfer, without further appropriation, as of
4 June 30, 1998, \$35,846,914 from the General Fund to the Chil-
5 dren's and Seniors' Health Care Assistance Fund, established in
6 section 2FF of chapter 29 of the General Laws.

1 SECTION 274. (a) Notwithstanding the provisions of any
2 general or special law to the contrary, there is hereby established
3 within the department of labor and workforce development the
4 office of the deputy director of workforce development. The
5 director, after thorough consultation with the MassJobs Council
6 and with the approval of the governor, shall appoint the deputy
7 director of workforce development, who shall be the chief job
8 training officer of the commonwealth. Said deputy director shall
9 be a person with not less than five years of experience in the
10 delivery of workforce development services. The position of
11 deputy director shall be classified in accordance with section 45
12 of chapter 30 of the General Laws and the salary of said deputy
13 director shall be determined in accordance with section 46C of
14 said chapter 30. The deputy director shall devote his full time
15 during business hours to the duties of the office and shall not
16 engage in other employment or business during such hours.

17 (b) Notwithstanding the provisions of any general or special
18 law to the contrary, the president of the corporation for workforce
19 training and development, as referenced in section 215, and the
20 director of the one-stop career center office, so-called, shall be
21 under the supervision and control of said deputy director with
22 respect to the administration of job training services in the com-
23 monwealth. As used in this section and in section 275, "job
24 training" means both labor exchange services or core services, so-
25 called, and substantive skills training, including adult basic educa-
26 tion and other education-related services necessary to prepare
27 persons to obtain the full benefit of substantive skills training.
28 With respect to the administration of such services, the board of
29 directors of the corporation for workforce training and develop-
30 ment shall be an advisory board to the president of said corpora-
31 tion. On or before September 1, 1997, the deputy director, after
32 consultation with said president and said executive director, shall
33 file with the clerks of the house and senate any proposed legisla-
34 tion necessary to implement the deputy director's supervision and
35 control with respect to such services.

36 (c) On or before December 1, 1997, the deputy director, in con-
37 sultation with and with the assistance of the MassJobs Council,
38 the secretary of administration and finance and the budget
39 director, the division of employment and training, the executive
40 office of health and human services and the constituent agencies
41 and departments thereof, the department of education, the corpo-
42 ration for workforce training and development, the regional
43 employment boards and the service delivery areas, shall submit to
44 the joint committee on commerce and labor and the house and
45 senate committees on ways and means a comprehensive report and
46 five-year plan for the efficient and effective delivery of job
47 training services in the commonwealth. Such report shall: (1) ana-
48 lyze and supply documentation of the programs, costs, benefits
49 and any problems associated with the system for delivering job
50 training services in the commonwealth as it existed prior to imple-
51 mentation of the one-stop career center initiative, so-called,
52 including an analysis of the total annual cost of such system in
53 state and federal dollars and the percentage of such cost that was
54 spent on labor exchange services as opposed to actual skills
55 training services; (2) analyze and provide documentation of the

56 programs, costs, benefits, and any problems associated with the
57 system for delivering job training services in the commonwealth
58 since the implementation of said one-stop career center initiative,
59 including an analysis of the total annual cost of such system in
60 state and federal dollars both currently and as envisioned when the
61 one-stop career center system is fully operational and the per-
62 centage of such costs that are and will be spent on labor exchange
63 services as opposed to substantive skills training services, and
64 provide recommendations for improvement in the system; (3) ana-
65 lyze all interagency service agreements between the one-stop
66 career center office and other state agencies to which state funds
67 have been appropriated for job training programs, including an
68 analysis of whether the performance measures contained therein
69 are consistent across the agreements and are properly designed to
70 ensure that appropriate job training services are provided in a
71 timely and effective manner, an analysis of for what the funds
72 dedicated to said career centers under such agreements would
73 have been used by the agency to which the funds were appropri-
74 ated but for the existence of such agreements, and an analysis of
75 whether the funds could be more effectively spent by the agency
76 to which said funds were appropriated, and provide recommenda-
77 tions for modifications to said agreements; (4) analyze all con-
78 tracts between the one-stop career center office and individual
79 career center vendors, including an analysis of issues raised by
80 such contracts being fixed price contracts when the stream of fed-
81 eral and state job training dollars available to the one-stop career
82 center office are not fixed, and an analysis of which party or par-
83 ties to said agreements are liable for any federal cost disal-
84 lowances related to federally funded job training programs, and
85 provide recommendations for modifications to said agreements,
86 including methods for assuring that revenues do not exceed obli-
87 gations to the vendors under such agreements; (5) analyze the
88 sources and amounts of past and future planned funding streams
89 for the one-stop career centers and the certainty thereof, including
90 any proposals for generation of revenue by said career centers and
91 an explanation of the reasons under the competitive one-stop
92 career center model the general court is being requested to appro-
93 priate substantially more funds for labor exchange services than
94 under the pre-existing system, including an analysis of what serv-

95 ices to which categories and numbers of persons are to be pro-
96 vided under the one-stop career center model that were not being
97 provided under the pre-existing system; (6) for each funding
98 stream identified pursuant to item (5), document exactly how the
99 funds received to date by the career centers have been used and, if
100 continued, will be used over the next five years; (7) analyze the
101 costs, benefits and problems associated with implementing a
102 one-stop system for delivery of labor exchange services using a col-
103 laborative and co-located model, so-called, including a comparison
104 of the costs, benefits and problems associated with use of a com-
105 petitive model, so-called, and a comparison of the costs, benefits
106 and problems associated with using private contractors to operate
107 such a system and the costs, benefits and problems associated
108 with using public sector employees to operate such a system, and
109 set forth recommendations concerning the use of said collabora-
110 tive model with respect to any future one-stop career centers;
111 (8) set forth a five-year plan, including a financing plan, first
112 assuming continuation of the current federal system for financing
113 job training services and then assuming federal block grant
114 funding, for the continued implementation of the competitive,
115 one-stop career center model, which shall identify the amount and
116 source of all funds to be directed to the one-stop career centers, a
117 proposed and realistic schedule for opening any additional one-
118 stop centers, and any changes in delivery of services that would
119 occur if such plan were implemented; (9) set forth a five-year
120 plan, including a financing plan, first assuming continuation of the
121 current federal system for financing job training services and then
122 assuming federal block grant funding, for the continued imple-
123 mentation of one-stop career centers using a collaborative or a
124 competitive model at the option of each service delivery area,
125 which shall identify the amount and source of all funds to be
126 directed to the one-stop career centers, a proposed and realistic
127 schedule for opening any additional one-stop centers, and any
128 changes in delivery of services that would occur if such plan were
129 implemented; (10) set forth a five-year plan, including a financing
130 plan, for implementing, and improving the effectiveness of, the
131 delivery of job training services in the commonwealth, without the
132 need for annual appropriations in excess of the amounts appropri-
133 ated for such services in fiscal year 1998, assuming the current
134 federal funding system and then assuming federal block grant

135 funding; (11) analyze whether the one-stop career center initiative,
136 as currently implemented and designed, violates the provisions of
137 sections 52 to 55, inclusive, of chapter 7 of the General Laws, and
138 provide copies of any certifications concerning said initiative
139 which have been provided to the state auditor pursuant to section
140 54 of said chapter 7; (12) set forth a five-year plan, including a
141 financial plan, for implementing a one-stop career center system
142 which would clearly comply with the provisions of said sec-
143 tions 52 to 55, inclusive, assuming that annual state appropriations
144 will not exceed the amounts appropriated for such services for
145 fiscal year 1998; and (13) set forth any and all recommendations
146 for improvements to the job training system in the commonwealth
147 over a five-year period, including a financial analysis of the costs
148 associated with each such recommendation.

1 SECTION 275. Notwithstanding the provisions of any general
2 or special law to the contrary, for the purpose of maximizing the
3 value of job training services so as to assist recipients of transi-
4 tional aid to families with dependent children to obtain stable
5 employment with the wages and benefits necessary to support
6 their families without such transitional aid, and therefore to move
7 such persons permanently from welfare to work, the funds appro-
8 priated in item 4401-1000 of section 2 of this act shall be
9 expended only in compliance with the following provisions:

10 (a) The department of transitional assistance shall perform a
11 basic assessment of each new adult recipient of such transitional
12 aid during the application process, and of each current adult recip-
13 ient of such aid on or before October 31, 1997, to determine lit-
14 eracy, educational level, work experience, and other factors
15 relevant to education and training necessary to obtain a high
16 school diploma or graduate equivalency degree or, where the
17 recipient has such a diploma or degree, to obtain the education
18 and skill level that will enable the recipient to obtain stable
19 employment with the wages and benefits necessary to support the
20 recipient's family after termination of such aid. With respect to
21 recipients lacking a high school diploma or graduate equivalency
22 degree, the department shall encourage the recipient to enroll in
23 an appropriate program to enable the recipient to obtain a high
24 school diploma or graduate equivalency degree and, if the recip-
25 ient elects, shall assist the recipient in assessing an appropriate lit-

26 eracy, adult basic education, graduate equivalency degree, or other
27 equivalent program, a program for learning disabled adults, or,
28 where the recipient has the prerequisite basic skill level needed
29 for the particular program, a substantive skills program.

30 (b) With respect to recipients who are not able to communicate
31 fully in English or to comprehend spoken English, the department
32 shall encourage the recipient to enroll in an English as a second
33 language program combined, as appropriate, with an adult basic
34 education, graduate equivalency degree or other equivalent pro-
35 gram, or a program for learning disabled adults, or a skills training
36 or post-secondary education program and, if the recipient elects,
37 shall assist the recipient in accessing such a program.

38 (c) Said department shall encourage recipients with a high
39 school diploma or graduate equivalency degree to obtain further
40 education, including remedial education addressed to such prob-
41 lems as reading and mathematical skills below a high school grad-
42 uate level, post-secondary education, or substantive skills training
43 that (1) is likely to increase the recipient's ability to obtain stable
44 employment with the wages and benefits necessary to support the
45 recipient's family after transitional aid benefits are terminated and
46 (2) is or can be funded through sources not limited to the funds
47 appropriated in said item, such as federal student grants and loans
48 or programs funded through federal job training programs or the
49 department of education.

50 (d) Said department, with the assistance of the MassJobs
51 Council, the deputy director of workforce development, and the
52 corporation for workforce training and development, shall use
53 information currently available to said department, said council
54 and said corporation, information available from the department
55 of education, and information from the assessments of adult recip-
56 ients as it becomes available to determine, subject to meaningful
57 performance standards for job placement and retention, the
58 number of placement slots needed for English as a second lan-
59 guage, literacy, adult basic education, graduate equivalency
60 degree and other equivalent programs, programs for learning dis-
61 abled adults and substantive skills training. Where the number of
62 program slots needed cannot be fully met from sources other than
63 funds in said item 4401-1000, said department shall allocate the
64 funds appropriated in said item 4401-1000 based upon the assess-

65 ments of the numbers of recipients who, in order to obtain a high
66 school diploma or graduate equivalency degree, would need pro-
67 grams providing English as a second language, literacy, adult
68 basic education, graduate equivalency degree and other equivalent
69 programs, or programs for learning disabled adults, and the
70 number of recipients with a high school diploma or graduate
71 equivalency degree who need remedial education to obtain
72 reading and math skills at a high school graduate level or other
73 education or substantive skills training to enable them to obtain
74 stable employment with wages and benefits necessary to support
75 their families after transitional aid benefits are terminated.

76 (e) Said department shall encourage use of community and state
77 college programs that can be financed with federal student grants
78 and loans, preserving funds contained in said item 4401-1000 for
79 services that cannot be so financed.

80 (f) Said department shall not use the funds appropriated in said
81 item 4401-1000 for labor exchange programs that focus on non-
82 substantive job skills, such as resume writing, interviewing, and
83 job search strategies unless and until sufficient slots are otherwise
84 available for all adult recipients assessed, pursuant to para-
85 graph (a), to be in need of English as a second language, literacy,
86 adult basic education, graduate equivalency degree or other equiv-
87 alent programs, programs for learning disabled adults, substantive
88 skills training, or remedial education.

89 (g) On or before October 31, 1997, the commissioner of said
90 department, in consultation with and with the assistance of the
91 secretary of the executive office of health and human services, the
92 MassJobs Council, the deputy director of workforce development,
93 the division of employment and training, the department of educa-
94 tion, the corporation for workforce training and development, the
95 regional employment boards and the service delivery areas, shall
96 submit to the joint committees on human services and elderly
97 affairs, the joint committee on commerce and labor and the house
98 and senate committees on ways and means a report which shall
99 (1) analyze and provide documentation of the existing programs,
100 costs, benefits and problems associated with the existing systems
101 for the delivery of labor exchange services and substantive skills
102 training services, including adult basic education, to recipients of
103 transitional aid to families with dependent children, including an

104 analysis of the effectiveness of the pre-employment and re-
105 employment program and the skills plus program, so-called, an
106 analysis of the effectiveness and systems for coordinating adult
107 basic education services, an analysis of the effectiveness of the
108 job training programs operated pursuant to appropriations to said
109 department, including but not limited to an analysis of the number
110 of recipients since December 1, 1996 who have received job
111 training services, an analysis of the kinds of job training services
112 they have received, including whether such services involve on-
113 the-job training or apprenticeships, an analysis of the length of the
114 job training programs in which such recipients participated, the
115 cost of such job training programs and identification of the ven-
116 dors by whom such job training services were provided, an
117 analysis of the number of job placements that occurred, with and
118 without the assistance of one-stop career centers, prior to receipt
119 of any job training services, the number and percentage of such
120 placements which are in full-time and part-time jobs, the number
121 and percentage of such placements which are in jobs in which
122 health insurance and other employee benefits are provided, and
123 the wage rates associated with such placements, an analysis of the
124 number of job placements that occurred, with and without the
125 assistance of one-stop career centers, after receipt of job training
126 services, the number and percentage of such placements which are
127 in full-time and part-time jobs, the number and percentage of such
128 placements which are in jobs in which health insurance and other
129 employee benefits are provided, and the wage rates associated
130 with such placements; (2) review and set forth conclusions and
131 recommendations concerning, methods for maximizing all federal
132 funding available to recipients for job training, adult education,
133 and grants and loans for adult learners at institutions of higher
134 education so as to augment state appropriations to meet the needs
135 of adult recipients; (3) subject to meaningful performance stan-
136 dards for job placement and retention, review and present conclu-
137 sions and recommendations concerning, all other substantive
138 skills training, adult education and other education programs
139 within the commonwealth that may be used to supplement the pro-
140 grams funded in said item and additional steps that can be taken
141 more effectively to coordinate access to such programs for adult
142 recipients; and (4) be accompanied by recommendations of

143 methods for assisting recipients to obtain stable employment with
144 the wages and benefits necessary to support the recipients' fami-
145 lies through more effectively providing meaningful job training
146 services to recipients who currently are subject to the work
147 requirement and the two-year time limit, to recipients who are not
148 currently subject to the work requirement but are subject to the
149 two-year time limit, and to any other recipients, including but not
150 limited to making such services available at hours that do not con-
151 flict with hours recipients are working, suggestions for methods
152 for more effectively coordinating child care and job training serv-
153 ices, and methods for continuing to inform former recipients of
154 available job training and educational opportunities, and assisting
155 them in accessing such services, after they have reached the two-
156 year time limit.

1 SECTION 276. Notwithstanding the provisions of any general
2 or special law, rule or regulation to the contrary, the department of
3 housing and community development is hereby authorized to con-
4 duct annual verifications of household income levels based upon
5 state tax returns for the purposes of administering the state and
6 federal housing subsidy programs funded in items 7004-9005,
7 7004-9024, 7004-9011, 7004-9013, 7004-9014, 7004-9019, 7004-
8 9020 and 7004-0099 in section two of this act; provided, that as a
9 condition of eligibility or continued occupancy by an applicant or
10 a tenant said department may require disclosure of social security
11 numbers by an applicant or tenant and members of the applicant's
12 or tenant's household for use in verification of income eligibility.
13 Said department is hereby further authorized to consult with the
14 department of revenue, the department of transitional assistance,
15 and any other state or federal agency which it deems necessary to
16 conduct such income verification; provided, that notwithstanding
17 the provisions of any general or special law to the contrary, said
18 state agencies are hereby authorized and directed to consult and
19 cooperate with said department and to furnish any and all infor-
20 mation in the possession of said agencies including, but not lim-
21 ited to, tax returns and applications for public assistance or
22 financial aid. For the purposes of conducting such income verifi-
23 cation, the director of the department of housing and community
24 development is hereby authorized to enter into an interdepart-

25 mental agreement with the commissioner of revenue to utilize the
26 department of revenue's wage reporting and bank match system
27 for the purpose of verifying the income and eligibility of partici-
28 pants in such federally assisted housing programs and members of
29 the participants' households.

1 SECTION 277. Notwithstanding the provisions of any general
2 or special law to the contrary, the Massachusetts firefighting
3 academy established by section 165A of chapter 6 of the General
4 Laws is hereby authorized and directed to charge \$1,500 per
5 recruit for recruit training programs operated by the academy for
6 each recruit of city and town fire departments who complete
7 training programs which begin on or after July 1, 1997. The state
8 comptroller is hereby authorized and directed to transfer \$1,500
9 multiplied by the number of such recruits from the local aid pay-
10 ments of the municipality in which said recruit shall serve. Said
11 academy shall transmit the required information to the comptroller
12 and the comptroller shall make said transfers in the fiscal quarter
13 immediately following the completion of training. The state
14 comptroller shall certify all such transfers to the house and senate
15 committees on ways and means no later than 30 days after com-
16 pletion of said transfer. Upon completion of training, said training
17 fee of \$1,500 shall be deducted from the recruit's wages in 15
18 equal monthly installments or as otherwise negotiated. This
19 section shall not apply to volunteer firefighters, as defined by
20 section 177B of chapter 149 of the General Laws.

1 SECTION 278. Notwithstanding the provisions of any general
2 or special law to the contrary, the state treasurer is hereby autho-
3 rized to pay for items under section 38C of chapter 29 of the
4 General Laws from items 0699-0015 and 0699-9100; provided,
5 however, that such payments pertain to the bonds, notes, or other
6 obligations authorized to be paid from each item.

1 SECTION 279. Notwithstanding the provisions of any general
2 or special law to the contrary, the secretary of administration and
3 finance is hereby authorized and directed to charge agencies as
4 hereinafter provided for workers' compensation costs, including
5 administrative costs, incurred on behalf of the employees of said
6 agencies. The personnel administrator or his designee shall notify

7 agencies within ten days of the enactment of this act as to the
8 change in calculation of workers' compensation chargebacks from
9 fiscal year 1997. The personnel administrator shall notify agencies
10 not later than 14 days after the enactment of this act as to the
11 amount of their estimated workers' compensation costs for the
12 fiscal year beginning July 1, 1997, and shall require all agencies
13 to encumber funds in an amount sufficient to meet the estimated
14 annual charges. The estimated workers' compensation costs for
15 each agency shall be not less than the amount of the actual
16 workers' compensation costs incurred by said agency during the
17 fiscal year ending June 30, 1997, and may include such additional
18 sums as are deemed necessary by regulations promulgated pur-
19 suant to this section. Said personnel administrator shall revise the
20 estimated workers' compensation costs for each agency on the
21 first day of each quarter of the fiscal year commencing July 1,
22 1997. Within 30 days after the effective date of this act, for any
23 agency that fails to encumber funds sufficient to meet the annual
24 estimated charges, the comptroller is hereby authorized and
25 directed to encumber funds in an amount sufficient to meet the
26 annual estimated charges on behalf of such agency. Costs to agen-
27 cies for benefits paid on behalf of their employees shall be allo-
28 cated as actual expenditures are made. Administrative expenses
29 shall be allocated to agencies based on each agency's percent of
30 total benefits paid in the prior fiscal year. The comptroller shall
31 charge each agency's workers' compensation costs to the agency's
32 appropriation amount and shall transfer said amount to item 1750-
33 0105 in section 2 of this act for the purposes of workers' compen-
34 sation paid with respect to public employees for any costs,
35 including administrative costs, incurred during the fiscal year.
36 The human resources division may expend an amount collected
37 for all agencies under this section not to exceed \$45,709,392 for
38 hospital, physician, benefits, and other costs, including adminis-
39 trative and personnel costs, without further appropriation. Not
40 later than 14 days after the effective date of this act, and on the
41 first day of each succeeding quarter during the fiscal year, the
42 division shall bill agencies for 25 per cent of said agency's annual
43 estimated workers' compensation costs. Each agency shall be
44 credited or billed for any differences between the previous quar-

45 ter's estimated costs and actual costs incurred by said agency.
46 The personnel administrator is authorized to establish regulations
47 and procedures to implement the provisions of this section.

1 SECTION 280. The workers' compensation unit within the
2 executive office of administration and finance, including investi-
3 gators and the litigation unit, is hereby transferred to the human
4 resources division. All employees of said unit are hereby trans-
5 ferred to the human resources division without loss of any rights
6 or benefits. The records and property of said unit are hereby trans-
7 ferred to the ownership and control of the human resources divi-
8 sion. All unexpended funds of said unit on the effective date of
9 this act are transferred to the account of the human resources divi-
10 sion for the use of said unit.

1 SECTION 281. Notwithstanding the provisions of any general
2 or special law to the contrary, the Metropolitan District Commis-
3 sion is hereby authorized and directed to ensure that the sponsor
4 of any concert or other event held at the Hatch Shell, so-called, in
5 the city of Boston:

6 (1) shall provide for the number of detailed police officers to be
7 present on the Hatch Shell site and adjacent property of said com-
8 mission which is deemed necessary by the colonel of the state
9 police or his designee to assure safety, security and the orderly
10 flow of pedestrian and vehicular traffic; and

11 (2) shall provide for the number of detailed police officers to be
12 present on the streets adjacent to said Hatch Shell site, under the
13 care and control of the city of Boston which is deemed necessary
14 by the police commissioner of said city or his designee to assure
15 safety, security and the orderly flow of pedestrian and vehicular
16 traffic. The provisions of this section shall not apply to any con-
17 cert or other event held at the Hatch Shell which is sponsored or
18 co-sponsored by the commonwealth or the Metropolitan District
19 Commission.

1 SECTION 282. Notwithstanding the provisions of any general
2 or special law to the contrary, the Metropolitan District Commis-
3 sion is hereby authorized and directed not to issue permits for the
4 use of properties under the control of the Metropolitan District

5 Commission parks and recreation department pursuant to item
6 2440-0010 of section 2, including but not limited to, the Hatch
7 Shell so-called, or allow the holding of concerts or any other
8 events to any person who owes money for police, security, clean
9 up or other services to said commission, or any other state or
10 municipal agency for any previous concert or event held at said
11 Hatch Shell.

1 SECTION 283. Notwithstanding the provisions of any general
2 or special law to the contrary, the Metropolitan District Commis-
3 sion shall not rent ice time to private colleges or universities until
4 all requests of local youth hockey groups and local high schools
5 have been honored as requested and public skating hours have
6 been scheduled to include a minimum of two hours each on Friday
7 and Saturday evenings and two hours on Sunday afternoons.

1 SECTION 284. Notwithstanding the provisions of any general
2 or special law to the contrary, the Metropolitan District Commis-
3 sion is hereby authorized and directed to develop a plan to com-
4 plete repairs to the Metropolitan District Commission skating
5 rinks, provided, however, that said plan shall focus on repairing
6 existing rinks. Said plan shall include, but not be limited to, deter-
7 mining alternative funding sources.

1 SECTION 285. Notwithstanding the provision of any general
2 or special law to the contrary, the department of environmental
3 management is hereby directed to expend \$5,000,000 for improve-
4 ments to Forest park in the city of Springfield, pursuant to
5 section 32 of chapter 15 of the acts of 1996.

1 SECTION 286. Notwithstanding the provisions of any general
2 or special law to the contrary, each city or town shall establish a
3 wetlands protection fund for the deposit of all fees paid to the city
4 or town under section 40 of chapter 131 of the General Laws. The
5 fund shall be expended by the conservation commission without
6 further appropriation for the purpose of defraying the costs of
7 administering and enforcing said section 40 of said chapter 131,
8 but only with the written approval of the mayor in cities, or city
9 manager in plan E cities, or the selectmen in towns, or the town
10 manager in towns which have adopted the town manager form of
11 government.

1 SECTION 287. Notwithstanding the provisions of any general
2 or special law to the contrary, the comptroller is hereby authorized
3 and directed to transfer as of July 1, 1997, into the Collective Bar-
4 gaining Reserve Fund, established by section 82 of chapter 120 of
5 the acts of 1995 as amended by section 62 of chapter 204 of the
6 acts of 1996, the sum of \$46,750,000 from the General Fund.

1 SECTION 288. There shall be established and set up on the
2 books of the commonwealth a separate fund to be known as the
3 Natural Resource Damages Trust Fund to be expended by the
4 executive office of environmental affairs. Said fund shall be
5 expendable without further appropriation for the purpose of
6 funding natural resource restoration, replacement or acquisition of
7 equivalent natural resources, and other actions related thereto
8 including but not limited to natural resource damage assessment,
9 natural resource damage recovery, and, if necessary, the costs of
10 personnel and administration of studies or related activities, con-
11 ducted pursuant to the secretary's authority as trustee for natural
12 resources of the commonwealth pursuant to section 5 of
13 chapter 21E of the General Laws, sections 23 through 27 of
14 chapter 130 of the General Laws, section 42 of chapter 131 of the
15 General Laws, 42 U.S.C. § 1907(f), 33 U.S.C. § 1321, 33 U.S.C.
16 § 2706, or any other relevant and appropriate authority.

1 SECTION 289. Notwithstanding the provisions of any general
2 or special law to the contrary, items 4400-1000, 4400-1100, 4400-
3 8888, 4400-9999, 4401-1000, 4403-2000, 4403-2110 and 4403-
4 2120 shall be charged to the Transitional Aid to Needy Families
5 Fund established in section 39, according to the approximate per-
6 centage established in the fund split, so-called, for each such item.
7 Said approximate percentage so applied to each such item may
8 range not more than five percentage points above or below said
9 approximation for the purposes of achieving maintenance of his-
10 toric expenditures, so-called, minimizing federal interference with
11 the provisions of state law, and maximizing the effective use of
12 federal funds consistent with the requirements of the federal Per-
13 sonal Responsibility and Work Opportunity Reconciliation Act of
14 1996, so-called, and chapter 5 of the acts of 1995. Said percentage
15 so applied shall be based upon certification to the comptroller by

16 the department of transitional assistance that said percentage
17 reflects the appropriate distribution of actual expenditures neces-
18 sary to achieve said purposes. Said percentage so charged shall be
19 subject to the approval of the secretary of administration and
20 finance. Expenditures not charged to said Transitional Aid to
21 Needy Families Fund shall be charged by the comptroller to the
22 General Fund for each such item. The department shall report
23 quarterly to the house and senate committees on ways and means
24 on the expenditures charged to each such fund and the reasons
25 therefore, including, but not limited to, eligibility requirements
26 established by said federal act and said chapter 5 and the relation-
27 ship between the caseload distribution and costs. Said reports
28 shall be filed not less than 30 days following the close of each
29 state fiscal quarter.

1 SECTION 290. Notwithstanding the provisions of any general
2 or special law to the contrary, the comptroller is hereby authorized
3 and directed to transfer, without further appropriation, not later
4 than June 30, 1998, \$137,811,335 from the Transitional Aid to
5 Needy Families Fund to the Child Care Fund, both as established
6 in section 39.

1 SECTION 291. Notwithstanding the provisions of any general
2 or special law to the contrary, the comptroller is hereby authorized
3 and directed to transfer, without further appropriation, not later
4 than June 30, 1998, \$45, 937,112 from the Child Care Fund to the
5 Social Services Program Fund, both as established in section 39 of
6 this act.

1 SECTION 292. Notwithstanding the provisions of any general
2 or special law to the contrary, if an amount earmarked within any
3 item of section 2 of this act is insufficient to accommodate the full
4 value of the rate increase provided under item 1599-6895 of
5 section 2 of chapter 151 of the acts of 1996, said earmark may be
6 increased to accommodate said rate increase, subject to the
7 approval of the secretary of administration and finance. In no
8 case, however, shall the amount of any earmark in section 2 of
9 this act be decreased. The secretary of administration and finance

10 shall report to the house and senate committees on ways and
11 means on all such increases not more than 30 days after such
12 increases have been approved.

1 SECTION 293. Notwithstanding the provisions of section 19 of
2 chapter 18B of the General Laws or any other general or special
3 law to the contrary, the department of social services may use
4 funds in the Expendable Trust D.C.G. Wards-Payments trust pur-
5 suant to the provisions of section 18 of chapter 18B of the General
6 Laws and interest paid on said account on or after July 1, 1993,
7 for the purpose of funding scholarships to be awarded to foster
8 children who are or have been in the care of the department of
9 social services and who are or will be pursuing a degree at an
10 accredited institution of higher education.

1 SECTION 294. It is the sense of the General Court that the
2 appropriation for item 0611-5510 reimbursements to cities and
3 towns in lieu of taxes on state-owned land pursuant to sections 13
4 to 17, inclusive, of chapter 58 of the General Laws shall be
5 increased by 20 per cent in this fiscal year and the next four fiscal
6 years so that the gap between this year's proposed appropriation
7 and full funding of said item will be closed in fiscal year 2002.

1 SECTION 295. Notwithstanding the provisions of any general
2 or special law to the contrary, the criminal justice training council
3 is hereby authorized and directed to charge \$1,800 per recruit for
4 training programs operated by the council for recruits of city and
5 town police departments who begin on or after July 1, 1997. The
6 state comptroller is hereby authorized and directed to transfer
7 \$1,800 multiplied by the number of such recruits from each
8 municipality from the local aid payments of the municipality in
9 which said recruit shall serve to the local aid fund. Said council
10 shall transmit the required information to the comptroller and the
11 comptroller shall make said transfers in the fiscal quarter immedi-
12 ately following the completion of training. The state comptroller
13 shall certify all such transfers to the house and senate committees
14 on ways and means not later than 30 days after completion of
15 said transfer. Upon completion of training, said training fee of
16 \$1,800 shall be deducted from the recruit's wages in 18 equal
17 monthly installments or as otherwise negotiated; provided that the

18 administrators of the Massachusetts criminal justice training
19 council shall work in coordination with the Massachusetts higher
20 education coordination council to develop a certified program, or
21 certified courses, for academic alternative pre-service training at
22 the higher education facilities in the commonwealth.

1 SECTION 296. In order to stabilize financing and encourage
2 planning and efficient resource management, each institution, as
3 defined in section 5 of chapter 15A of the General Laws, shall be
4 allowed to carry over one per cent of unexpended funds from one
5 fiscal year to the next, to be disbursed on one-time expenses. No
6 state appropriations to institutions shall be increased or decreased
7 as a result of any carry-over of funds. The institutions shall report
8 expenditures of funds carried over in an annual audit statement
9 which shall be submitted to the state comptroller and the house
10 and senate committees on ways and means.

1 SECTION 297. Commencing in fiscal year 1998, each institu-
2 tion, as defined in section 5 of chapter 15A of the General Laws,
3 shall prepare an annual audited financial statement for submission
4 to its board of trustees, the board of higher education, the comp-
5 troller, and the house and senate committees on ways and means.

1 SECTION 298. There is hereby established a fair share for-
2 mula review commission to evaluate the accuracy and effective-
3 ness of the funding formulas, pursuant to section 16 of this act, in
4 determining the total level of resources needed to fund the ordi-
5 nary maintenance of each institution. Said commission shall
6 include the secretary of administration and finance or his
7 designee; the chancellor of higher education; the chair of the
8 board of higher education; two members of the senate from dif-
9 ferent political parties who shall be appointed by the senate presi-
10 dent; two members of the house of representatives from different
11 political parties who shall be appointed by the speaker of the
12 house of representatives; one representative of the community col-
13 leges who shall be appointed by the council of community col-
14 leges; one representative of the state colleges who shall be
15 appointed by the council of state colleges; the president of the
16 University of Massachusetts or his designee; and the following

17 members to be appointed by the chair of the board of higher edu-
18 cation: a representative from business or industry; a representative
19 from organized labor from among three nominees provided by the
20 Massachusetts State Labor Council, AFL-CIO; a representative of
21 public higher education faculty and professional staff from any
22 three nominees provided by the Massachusetts Teachers Associa-
23 tion and the Massachusetts Federation of Teachers jointly and
24 three students, representing each segment of the commonwealth's
25 public higher education system. In order to ensure that said for-
26 mulas provide an accurate, reasonable and adequate determination
27 of institutional funding need in the areas of instruction, support
28 services, and physical plant, said evaluation commission shall
29 review and analyze the overall structure of the funding formulas
30 and their components, including the methodology used to compute
31 said components, and compare said formulas with formulas uti-
32 lized by peer institutions with similar missions in other states.
33 The commission shall report said evaluation and its recommenda-
34 tions to the house and senate committees on ways and means, the
35 executive office of administration and finance, and the joint com-
36 mittee on education, arts and humanities no later than January 1,
37 2001; provided, however, said commission shall hold no less than
38 one public hearing for the purpose of public input on the formulas.

1 SECTION 299. (a) Notwithstanding the provisions of any
2 general or special law to the contrary, for the purposes of this
3 section, the following terms shall, unless the context clearly indi-
4 cates otherwise, have the following meanings:—

5 (1) "Designated Feed Stock Materials", post-consumer waste
6 material, as defined in this section, and as specified by the depart-
7 ment of environmental protection, including, but not limited to,
8 paper, glass and plastic bottles, and tires, which has been through
9 a reclaiming process, as defined in this section, and is ready for
10 use as an input to a system that transforms them, and any other
11 inputs, into products of economic value; said materials shall not
12 include post-industrial waste materials or metals.

13 (2) "Designated Unprocessed Materials", those materials shall
14 be limited exclusively to post-consumer waste material, as defined
15 in this section, and as specified by the department of environ-
16 mental protection, including, but not limited to, theretofore

17 unprocessed loose paper, glass and plastic bottles, and tires; pro-
18 vided that said materials shall not include metals.

19 (3) "Eligible Business", a company or corporation, which
20 (A) either: (i) uses designated unprocessed materials in their
21 reclaiming process; or (ii) uses designated feed stock materials,
22 generated by an eligible business, in their manufacturing process;
23 and (B) has at least 50 per cent of its full-time equivalent non-
24 salaried workforce in Massachusetts. A business shall not be con-
25 sidered eligible which: (i) has been convicted of violating any
26 state or federal civil or criminal environmental laws in the past
27 three years; or (ii) acts as an intermediary or broker between com-
28 panies and corporations engaged in the manufacturing process or
29 reclaiming process.

30 (4) "Manufacturing Process", those activities by which desig-
31 nated materials are used as an input to a system that transforms
32 them, and any other inputs, into products of added economic value
33 and resold to a non-affiliated business.

34 (5) "Post-Consumer Waste Material", any product generated by
35 a business or consumer that has served its intended use, and that
36 has been separated from solid waste for the purposes of collection,
37 recycling, and disposition and that does not include post-industrial
38 waste material.

39 (6) "Post-Industrial Waste Material", internally generated scrap
40 or fragments of products commonly returned to industrial or man-
41 ufacturing processes, such as home scrap or mill broke.

42 (7) "Reclaiming Process", those activities which density, shred,
43 bale, grind, culletize, or otherwise process theretofore designated
44 unprocessed material.

45 (8) "Virgin Feed Stock Materials", those materials extracted
46 from their natural resource base and that are prepared for input
47 into a system that transforms them, and any other inputs, into
48 products of economic value.

49 (b) The department of environmental protection, subject to the
50 provisions of this section, shall promulgate regulations by
51 October 31, 1997, which establish the recycling industries reim-
52 bursement program for eligible businesses in the commonwealth,
53 hereafter referred to as the program, for implementation on Jan-
54 uary 1, 1998, subject to appropriation. Said program shall be
55 funded, subject to appropriation, by the Clean Environment Fund,

56 established pursuant to section 323F of chapter 94 of the General
57 Laws.

58 (c) The department of environmental protection shall determine
59 which materials within the designated unprocessed materials and
60 the designated feed stock materials are eligible for reimbursement;
61 provided that no materials that are hazardous waste under applic-
62 able state and federal environmental laws shall be eligible for said
63 reimbursement. Said department shall evaluate and report the
64 potential for successful recycling of each designated material
65 under investigation, including an objective analysis which identi-
66 fies materials with stable or mature markets and problematic
67 materials with unstable immature markets. Said problematic mate-
68 rials may include, but not be limited to, green glass, mixed paper,
69 newspaper, and plastics. Said department shall also identify mate-
70 rials which may require stimulation by inclusion as a designated
71 unprocessed materials and designated feed stock material.

72 (d) The department of environmental protection shall determine
73 the amount of the reimbursements for eligible businesses, which
74 amount shall be based upon the following factors including, but
75 not limited to: (i) the differences between market prices or price
76 quotations for virgin feed stock materials and the price paid for
77 designated feed stock materials by an eligible business engaged in
78 the manufacturing process in the commonwealth; (ii) the amount
79 of designated feed stock material sold by eligible businesses
80 engaged in the reclaiming process in the commonwealth; (iii) the
81 amount of designated feed stock material used by eligible busi-
82 nesses engaged in the manufacturing process in the common-
83 wealth; and (v) the market history and price fluctuations of
84 materials. Said department shall make periodic adjustments to
85 reimbursement rates as deemed necessary, based on the condition
86 of the markets. Said department shall also have the authority to
87 establish additional criteria upon which to award reimbursements;
88 provided that within 60 days of enactment of this section, said
89 department shall submit the initial implementation plan for the
90 program including, but not limited to, proposed additional mate-
91 rials and criteria, to the house and senate committees on ways and
92 means and the joint committee on natural resources and agricul-
93 ture. Said department shall determine a maximum annual reim-
94 bursement limit per eligible business.

95 (e) The department of environmental protection shall design a
96 promotional strategy for the reimbursement program that will
97 reach the maximum number of potentially eligible businesses.
98 Said department shall coordinate said promotion strategy with
99 existing programs in business development and the recycling loan
100 fund to achieve the efficient use of activities and funds.

101 (f) The department of environmental protection shall design
102 and implement controls to prevent fraud and waste of program
103 funds, including, but not limited to: (i) awarding reimbursements
104 to companies or corporations which attempt to reclaim the same
105 batch of designated unprocessed materials multiple times; or (ii)
106 awarding reimbursements to companies or corporations which
107 purchase designated feed stock materials, but do not use said
108 materials in the manufacturing process.

109 (g) The department of environmental protection may enter into
110 interagency service agreements, or other cooperative agreements,
111 with any agency of the commonwealth which it deems appropriate
112 to develop and implement said program including, but not limited
113 to, the department of economic affairs, and the strategic envi-
114 rotechnology partnership, so called, to promote, evaluate, or ana-
115 lyze said program.

116 (h) The department of environmental protection, in cooperation
117 with the department of revenue, shall review and approve applica-
118 tions for the reimbursements allowed in this section. Application
119 for reimbursement shall be made in writing on a form prescribed
120 by said department and shall contain information including, but
121 not limited to, and where applicable, on the purchase of desig-
122 nated unprocessed materials, the sale of designated feed stock
123 materials, a description of the designated feed stock materials, the
124 amount of designated materials, the percentage of designated feed
125 stock materials, the percentage of post-industrial waste material
126 and the percentage of virgin feed stock materials used in manufac-
127 turing and the products manufactured. Reimbursements shall be
128 processed and awarded in a timely fashion. Any business which
129 falsifies any information contained in its application for reim-
130 bursement shall be subject to a fine of double the amount of said
131 reimbursement.

132 (i) An annual report detailing the reimbursement program as
133 implemented, including but not limited to: amounts and numbers
134 of reimbursements requested and awarded shall be submitted to

135 the house and senate committees on ways and means and the joint
136 committee on natural resources and agriculture by January 1 of
137 each year for the most recent fiscal year.

1 SECTION 300. There is hereby established a special commis-
2 sion which shall study and make recommendations concerning
3 whether the commonwealth should participate in the Federal
4 Prison Industries enterprise program. The members of the com-
5 mission shall be one representative each of the Criminal Justice
6 Policy Coalition, the Massachusetts Housing and Shelter Alliance,
7 the St. Francis House, the Massachusetts Halfway Houses, the
8 Massachusetts Bar Association, the Associated Industries of
9 Massachusetts, the Massachusetts State Labor Council, AFL-CIO,
10 and the director of the department of labor and workforce devel-
11 opment or his designee, the commissioner of the department of
12 corrections or his designee, and the house and senate chairpersons
13 of the joint committee on public safety. Said commission shall file
14 its final report, including any proposed legislation, with the clerks
15 of the senate and house of representatives and with the governor
16 on or before the second Monday of December, 1997.

1 SECTION 301. The executive office of elder affairs is hereby
2 authorized and directed to obligate not less than \$125,000 for the
3 Somerville-Cambridge Elder Services for case management serv-
4 ices for fiscal year 1998.

1 SECTION 302. Notwithstanding the provisions of any special
2 or general law to the contrary, the secretary of the executive office
3 of health and human services and the disabled persons protection
4 commission shall jointly establish uniform procedures for all non-
5 criminal investigations conducted under chapter 19C of the
6 General Laws and shall require that each state agency that investi-
7 gates a report of abuse pursuant to said chapter 19C shall adopt
8 and follow such procedures in conducting its investigations; pro-
9 vided further, that the disabled persons protection commission,
10 together with the secretary of the executive office of health and
11 human services and the secretary of the executive office of admin-
12 istration and finance are hereby directed to study the current pro-
13 cedures established by the commission for carrying out the

14 purposes of said chapter 19C and shall make findings and recom-
15 mendations regarding the sufficiency of such procedures to enable
16 the commission to fulfill its duties under said chapter 19C,
17 including any recommendations for the establishment of an appel-
18 late process and standard of review of commission findings,
19 which findings and recommendations, together with any proposed
20 legislation, shall be submitted to the house and senate committees
21 on ways and means not later than December 1, 1997.

1 SECTION 303. (a) Notwithstanding the provisions of any
2 general or special law to the contrary, there is hereby established
3 the Massachusetts performance enhancement program, which
4 shall provide the opportunity for designated agencies to improve
5 their management systems and enhance their performance by
6 streamlining services, reducing paperwork, analyzing and
7 reviewing their policies and procedures including, but not limited
8 to, fiscal management, human resources, procurement, customer
9 services, technology, and facilities operation and maintenance.

10 (b) Said program shall be implemented by a commission, which
11 shall be jointly chaired by the secretary of administration and
12 finance and the comptroller. There shall be seven additional mem-
13 bers of the commission, who shall be appointed by the governor.
14 Said members shall include a representative from business and
15 industry, to be selected from three nominees provided by the
16 Massachusetts business roundtable; a representative from orga-
17 nized labor, to be selected from three nominees provided by the
18 Massachusetts state labor council, AFL-CIO; the chairperson of
19 the Massachusetts Taxpayers Foundation or his designee; a faculty
20 member from a graduate school of public administration or public
21 management at an institution of higher education located in the
22 commonwealth; and three other members appointed by the gov-
23 ernor, after consultation with the secretary of administration and
24 finance and the comptroller. The department of mental retardation,
25 the department of environmental management, and a college
26 campus within the system of public higher education, which shall
27 apply to, and be selected by, the board of higher education in con-
28 sultation with the secretary of administration and finance, shall
29 serve as what are hereinafter collectively referred to as the desig-
30 nated agencies.

31 (c) In evaluating each designated agency, the commission shall
32 work with a team of no fewer than six and no more than ten
33 employees from said agency, which shall include an equal number
34 of management employees and non-supervisory, non-management
35 employees. The management employee members of each desig-
36 nated agency team shall be selected by the administrative head of
37 the designated agency on or before September 1, 1997. The non-
38 supervisory, non-management employee members shall be
39 selected either by a vote of the non-supervisory, non-management
40 employees in the designated agency on or before August 31, 1997
41 or, if no such selection is made by said date, then by the joint
42 chairpersons of the commission on September 1, 1997. Three
43 members of the commission shall serve on each relevant desig-
44 nated agency team. Each team shall evaluate each designated
45 agency with respect to effectiveness of management policies and
46 practices used by the agency, the efficiency with which said
47 agency operates the programs and provides services under its
48 jurisdiction and fulfills the duties assigned to it by law, and the
49 level of satisfaction of the customers or clients of said agency in
50 order to identify specific projects that will improve said desig-
51 nated agency's performance. Said agency teams may hire a con-
52 sultant to help them achieve their goals and objectives. Each
53 designated agency shall also provide necessary assistance to its
54 agency team and the commission for the performance of said
55 duties.

56 (d) Each designated agency team shall submit to the commis-
57 sion for approval a preliminary work plan that includes a spending
58 plan, program design, and specific project proposals on or before
59 October 1, 1997. No funds appropriated for use by said commis-
60 sion shall be allocated to the designated agency teams until such
61 time as said work plan has been submitted and approved by said
62 commission.

63 (e) The commission, in consultation with the designated agency
64 team, shall, on or before January 1, 1998, submit to the house and
65 senate committees on ways and means and the joint committee on
66 state administration an interim report and tentative recommenda-
67 tions, and shall, on or before June 30, 1998, submit to said com-
68 mittees a final report concerning each designated agency. The
69 interim and final reports shall analyze, provide recommendations

70 and implementation plans concerning methods for maximizing or
71 improving management policies and practices, customer or client
72 service and efficiency, and generating cost savings. Said reports
73 shall also demonstrate the results of any on-going or completed
74 projects undertaken by said teams or the full commission. Any
75 cost savings realized by an agency through implementation of said
76 performance enhancement program shall be placed in a retained
77 revenue account held by said agency for one-time expenditures.

1 SECTION 304. Notwithstanding the provisions of any general
2 or special law to the contrary, funds in the Commonwealth Sewer
3 Rate Relief Fund, established by section 2Z of chapter 29 of the
4 General Laws, shall be available to mitigate sewer rate increases
5 due to debt service obligations created by issuing eligible indebted-
6 edness. For the purposes of this section, eligible indebtedness
7 shall be defined as debt issued on or after January 1, 1990, which
8 has a final date of maturity greater than five years after the date of
9 issuance and which is incurred, wholly or in substantial part, to
10 finance or refinance the costs of planning, design, or construction
11 of any water pollution abatement project, or part thereof, required
12 to be constructed to meet the provisions of the Federal Water Pol-
13 lution Control Act, 33 U.S.C. section 1251 et seq., and sections 26
14 to 53, inclusive, of chapter 21 of the General Laws, or any waste-
15 water collection or transportation project related thereto; pro-
16 vided, however, that eligible indebtedness shall not include any
17 indebtedness for which the issuer has received assistance provided
18 from state grants; provided further, that notwithstanding any pro-
19 visions of this section to the contrary, eligible indebtedness shall
20 include indebtedness incurred to finance the metrowest water
21 supply tunnel, so called; provided, further, that eligible indebted-
22 ness shall include indebtedness incurred pursuant to loan agree-
23 ments under the provisions of chapter 275 of the acts of 1989, as
24 most recently amended by chapter 203 of the acts of 1992, which
25 exceeded \$50,000,000 by June 30, 1995, and the debt service
26 attributable thereto for any year for purposes of this section shall
27 be the net obligation borne by the issuer after application of any
28 credits, subsidies, or assistance, however characterized, provided
29 under the provisions of the aforementioned statutes; provided, fur-
30 ther, that no issuer, which shall be defined as any city, town, dis-

31 trict, commission, agency, authority, board, or other instru-
32 mentality of the commonwealth or any of its political subdivi-
33 sions, which is responsible for the ownership or operation of
34 wastewater treatment projects, and is authorized to finance all or
35 any part of the cost thereof through the issuance of eligible indebt-
36 edness, shall receive relief authorized herein in excess of 20 per
37 cent of its annual debt service obligations due to eligible indebted-
38 ness. The division of local services of the department of revenue,
39 in consultation with the department of environmental protection,
40 shall develop guidelines to certify an issuer's eligible indebted-
41 ness and shall create a process to equitably distribute funds to eli-
42 gible issuers, in order to mitigate extraordinary increases in sewer
43 costs; and provided further, that funds disbursed in fiscal year
44 1998 shall be disbursed on or before March 31, 1998. The board,
45 office or commission responsible for setting sewer charges in
46 every city, town, district, or commission that either receives aid
47 itself or is a member of a regional entity that receives aid pursuant
48 to the provisions of this section shall certify to said division of
49 local services that is has reduced sewer charges to reflect its share
50 of any such aid.

1 SECTION 305. Notwithstanding the provisions of any general
2 or special law to the contrary, the department of mental health, the
3 department of public health, the division of medical assistance,
4 hereinafter referred to as the division, and the division of health
5 care finance and policy are authorized and directed to take any
6 appropriate action to obtain the maximum amount of federal
7 financial participation available for amounts paid for low income
8 care costs at those mental health and public health facilities deter-
9 mined to be disproportionate share hospitals in accordance with
10 requirements of Title XIX of the Social Security Act. Said appro-
11 priate action may include, but shall not be limited to, the estab-
12 lishment of a separate account within the Uncompensated Care
13 Trust Fund, established by section 18 of chapter 118G of the
14 General Laws, for the purpose of making disproportionate share
15 adjustment payments to such qualifying mental health and public
16 health facilities pursuant to relevant division of health care
17 finance and policy regulations and the related Title XIX state plan
18 amendment submitted by the division to the health care financing

19 administration. The division of medical assistance, the department
20 of public health, or the department of mental health may expend
21 amounts transferred to it from said separate account within the
22 Uncompensated Care Trust Fund without further appropriation.
23 Any federal funds obtained as a result of actions taken pursuant to
24 this section shall be deposited in the General Fund. The offices of
25 the state treasurer and the comptroller shall establish such proce-
26 dures as may be necessary to accomplish the purpose of this
27 section, including procedures for the proper accounting and
28 expenditure of funds pursuant to this section.

1 SECTION 306. Notwithstanding the provisions of any general
2 or special law to the contrary, the division of medical assistance,
3 hereinafter referred to as the division, and the division of health
4 care finance and policy are authorized and directed to take any
5 appropriate action to obtain the maximum amount of federal
6 financial participation available for amounts paid to hospitals,
7 determined by the division to be disproportionate share hospitals
8 in accordance with Title XIX requirements, for free care costs of
9 such hospitals. Said appropriate action may include, but shall not
10 be limited to, the assessment on hospitals for their liability to the
11 uncompensated care pool pursuant to chapter 118G of the General
12 Laws. Said appropriate action shall include the establishment or
13 renewal of an interagency agreement between the division and the
14 division of health care finance and policy which may authorize the
15 division to make deposits into and payments from an account
16 established for the purposes of this section within the Uncompen-
17 sated Care Trust Fund, established by section 18 of said
18 chapter 118G or authorize the division of health care finance and
19 policy to transfer uncompensated care fee revenue collected from
20 hospitals pursuant to said chapter 118G or funds otherwise made
21 available to said trust fund by the general court, to the division for
22 purposes of making disproportionate share adjustment payments
23 to hospitals qualifying for such payments in accordance with the
24 commonwealth's Title XIX state plan and relevant provisions of
25 Title XIX of the federal Social Security Act. The division may
26 expend amounts transferred to it from the Uncompensated Care
27 Trust Fund by the division of health care finance and policy under
28 said interagency agreement without further appropriation. In no

29 event shall the amount of money assessed upon each hospital
30 exceed the hospital's gross liability to the uncompensated care
31 pool as determined by the division of health care finance and
32 policy pursuant to section 18 of said chapter 118G of the General
33 Laws. Any federal funds obtained as a result of actions pursuant
34 to this section shall be deposited in the General Fund. The offices
35 of the state treasurer and the comptroller shall establish such pro-
36 cedures as may be necessary to accomplish the purpose of this
37 section, including procedures to facilitate the expeditious assess-
38 ment, collection and expenditure of funds pursuant to this section.

1 SECTION 307. For hospital fiscal year 1998, the private sector
2 liability of purchasers and third party payers to the Uncompen-
3 sated Care Trust Fund established pursuant to section 18 of
4 chapter 118G of the General Laws shall be lesser of the sum of all
5 the products of each hospital's allowable free care charges and
6 such hospital's cost to charge ratio, calculated by the division of
7 health care finance and policy pursuant to said section 18 of said
8 chapter 118G of the General Laws, or \$315,000,000. For state
9 fiscal year 1998, notwithstanding any general or special law to the
10 contrary, \$30,000,000 generated by federal financial participation
11 made available under Title XIX of the Social Security Act to
12 reimburse the costs of said trust fund for disproportionate share
13 hospitals shall be deposited into said trust fund.

1 SECTION 308. Notwithstanding any general or special law to
2 the contrary, neither the department of mental health nor the
3 department of mental retardation shall take any action to reduce
4 the client populations at any institutional facilities currently man-
5 aged or operated by said departments, including state schools,
6 developmental centers for the mentally retarded and community
7 health centers, as a means of initiating closure of said facilities,
8 and neither of said departments shall take any other steps to close
9 any of said facilities, until (1) the five-year plans required by
10 section 561 of chapter 151 of the acts of 1996 are completed and
11 submitted and a review of any such proposed closing has been
12 completed by the secretary of administration and finance, (2) said
13 departments have conducted a public hearing of which the house
14 and senate committees on ways and means shall be given advance

15 notice, and (3) the legislature has been given at least six months'
16 advance notice of such closure; provided, however, that nothing
17 herein shall be construed to prevent the transfer of any client from
18 a state facility to a facility staffed by state employees or to a com-
19 munity placement when the transfer is both clinically warranted as
20 determined by the client's individual service plan or its equivalent
21 and approved by the client or his guardian, nor prevent the
22 transfer of any state employee at such facility; provided further,
23 that each of the departments shall, prior to August 1, 1997, notify,
24 in writing, each client currently residing at such facilities or his
25 guardian, that these facilities shall remain open pending further
26 notice to the contrary and that the client's option of remaining at
27 such a facility or a comparable facility shall be considered in the
28 development of and at the next meeting in regard to the client's
29 individual service plan or its equivalent; and provided further, that
30 nothing in this section shall be construed as a waiver of the
31 requirements of section 3 of chapter 123B of the General Laws.

1 SECTION 309. Notwithstanding the provisions of any general
2 or special law or contract to the contrary, if the capital costs
3 incurred under any of the previous department of mental health
4 replacement units contracts, so-called, with Berkshire Medical
5 Center in the city of Pittsfield; Cambridge hospital in the city of
6 Cambridge; New England Deaconess hospital in the city of
7 Boston; or Providence hospital in the city of Holyoke, are not
8 negotiated and paid pursuant to the terms of the interdepartmental
9 service agreement for the joint purchase of certain mental health
10 services between the department of mental health and the division
11 of medical assistance, then the department of mental health is
12 authorized to negotiate and pay capital costs to the entity directly.
13 Any payment made by the department of mental health pursuant
14 to this section, or by the division of medical assistance or its con-
15 tractor pursuant to the terms of the interdepartmental service
16 agreement, shall be subject to the following: (i) if the entity sells
17 or otherwise transfers a capital asset associated with the replace-
18 ment unit contract and the asset will not be used by the transferee
19 for similar or like public purposes, then the entity must pay to the
20 commonwealth an amount equal to the gain, if any, attributable to
21 any accelerated depreciation costs paid by the department of

22 mental health; or (ii) if the entity ceases to use any capital asset
23 associated with the replacement unit contract for such public or
24 similar public purposes for any other reason attributable to the
25 entity, then the entity must repay to the commonwealth the accel-
26 erated depreciation costs paid by the department of mental health.

1 SECTION 310. There is hereby established on the books of the
2 commonwealth a fund to be known as the Asbestos Cost Recovery
3 Fund. Notwithstanding the provisions of any general or special
4 law to the contrary, all sums awarded or received by the common-
5 wealth, after the payment of fees and expenses, as a result of set-
6 tlement, trial or judgement in the case of Commonwealth of
7 Massachusetts v. Owens Corning Fiberglass, et. al., Suffolk Super-
8 ior Court No. 90-3791-A, or received as payments by the com-
9 monwealth on account of the bankruptcy of any manufacturer,
10 seller or distributor of asbestos containing materials in any
11 building that the commonwealth owns, operates or has a property
12 interest in shall be segregated and held in such trust. The division
13 of capital planning and operations shall develop a plan for the
14 orderly expenditure of such sums as are received by the Asbestos
15 Cost Recovery Fund for the purposes of operations and mainte-
16 nance, encapsulation and removal of asbestos. The plan, which
17 shall be subject to revision as necessary, shall contain provisions
18 for emergencies, the short term and long term control of asbestos
19 in buildings owned or operated by the commonwealth, and the
20 removal and disposition of asbestos containing materials in such
21 buildings. Any funds deposited in said fund shall not revert to the
22 General Fund, but shall remain available for the purposes pro-
23 vided herein. Any funds deposited as described above may be
24 expended by the division of capital planning and operations, sub-
25 ject to appropriation, consistent with the purposes of this section.

1 SECTION 311. Notwithstanding the provisions of any general
2 or special law to the contrary, the commissioner of the division of
3 capital planning and operations is authorized to enter into an
4 emergency lease agreement with the town of Belchertown for the
5 lease of three buildings situated on Parcel A of state land located
6 in the town of Belchertown; provided, however, that the term of
7 said lease shall expire on June 30, 1998 or the end of the 1997-

8 1998 public school year, whichever is later, in order to provide for
9 the direct public use of said buildings on Parcel A by said town
10 for public school classrooms and other services. The terms of said
11 lease shall be the same as those in the lease in effect as of June 15,
12 1996.

1 SECTION 312. Notwithstanding the provisions of any general
2 or special law to the contrary, the office of vehicle management is
3 authorized and directed to generate at least \$942,000 in revenue to
4 the general fund in the fiscal year ending June 30, 1998 from the
5 sale of surplus state motor vehicles.

1 SECTION 313. Notwithstanding the provisions of any general
2 or special law to the contrary, the division of medical assistance
3 shall implement the following procedures:

4 (1) Covered services as defined by regulations of the division,
5 provided by acute health care centers to any non-institutionalized
6 Masshealth applicant under age 65 who is determined eligible
7 under the "family" or "disabled" categories of assistance, will be
8 reimbursed if approved within 10 days prior to the division's
9 receipt of a Masshealth benefit application on behalf of said appli-
10 cant. However, all eligibility information required to complete the
11 application must be submitted within 60 days of the date of appli-
12 cation receipt. Information required for an application to be con-
13 sidered complete includes, but is not limited to: verification of the
14 applicant's gross income, a completed disability supplement if
15 applicable, an assignment of recovery rights or third party benefits
16 where applicable, and an application for a social security number
17 in circumstances in which the division requires it. The division
18 will provide the Massachusetts league of community health cen-
19 ters a written detailed description of the information required for
20 an application to be considered complete 21 days prior to imple-
21 mentation of Masshealth expansions and will give 21 days prior
22 notice of any changes in these requirements. If an application is
23 not complete within 60 days of its submission, the applicant shall
24 be deemed ineligible and payment shall be denied for any services
25 provided. For the purposes of determining the timeliness of appli-
26 cation submissions under this paragraph, the division shall accept
27 facsimile copies of Masshealth benefit applications from health

28 centers. The division shall operate a dedicated facsimile telephone
29 line to receive applications from health centers 24 hours a day,
30 seven days a week.

31 (2) The division shall provide outreach workers at levels neces-
32 sary to meet the demonstrated need for their services by health
33 centers. The division shall, in consultation with the Massachusetts
34 league of community health centers, evaluate the need for
35 increased eligibility outreach staff and develop an implementation
36 plan for locating additional outreach staff at health centers, sub-
37 ject to the availability of adequate funding. Health center social
38 services staff will continue to be able to act as authorized patient
39 representatives for the purpose of filing Masshealth applications
40 on behalf of patients and for the purpose of appealing eligibility
41 decisions upon implementation of chapter 203 of the acts of 1996.
42 The division shall locate health benefits advisors, so-called, at
43 certain health centers to promptly identify and enroll new state
44 benefit plan recipients, so-called. In addition, after consultation
45 with the Massachusetts league of community health centers, the
46 division shall make health benefit advisors, so-called, available at
47 other health centers on a temporary basis, particularly in the early
48 stages of implementing chapter 203 of the acts of 1996, to
49 promptly identify and enroll new state benefit plan recipients, so-
50 called.

51 (3) In the process of developing and implementing a training
52 schedule for health center staff to inform them of new eligibility
53 rules, train them in assisting applicants with new Masshealth ben-
54 efit applications and to inform them about the division's enroll-
55 ment process and the role of health benefit managers, so-called,
56 the division shall provide the Massachusetts league of community
57 health centers with a copy of the training schedule and, to the
58 extent possible, accommodate the Massachusetts league of com-
59 munity health centers' suggestions on the schedule and the
60 approach. Also, to the extent available resources permit, the divi-
61 sion shall develop a schedule to locate eligibility outreach staff at
62 those health centers with a high volume of potential Masshealth
63 recipients and for outreach workers to visit and assist all inter-
64 ested health centers. The division shall convene a quality
65 improvement team comprised of division staff, representatives of
66 the Massachusetts league of community health centers, health

67 benefits advisors, so-called, and prepaid health plans contracting
68 with the division to evaluate the need for, and develop when nec-
69 essary, processes to expedite the enrollment of new state benefit
70 plan recipients, so-called, and to resolve issues with inappropriate
71 utilization patterns subsequent to enrollment. The team will eval-
72 uate any regional differences in the new state benefit plan enroll-
73 ment and outreach needs.

1 SECTION 314. Notwithstanding the provisions of any general
2 or special law to the contrary, there is hereby established and set
3 up on the books of the commonwealth a separate fund to be
4 known as the Commonwealth Economic Development Fund.
5 Monies from said fund shall be expended, subject to appropria-
6 tion, to promote employee and worker training, education and the
7 general economic development of the commonwealth.

1 SECTION 315. (a) Notwithstanding the provisions of any
2 general or special law to the contrary, the office for children shall
3 be established as the lead agency to administer day care services
4 within the jurisdiction of the executive office of health and human
5 services. Said office is hereby authorized and directed to set
6 policy related to day care services, establish voucher payment
7 rates and the terms of provider contracts, establish and update the
8 sliding fee scale for income eligible day care as necessary, admin-
9 ister state and federal day care funds, enter into interagency
10 service agreements for the administration of said system and com-
11 municate with other state entities providing similar or related
12 services outside of said executive office, including the department
13 of education, to better coordinate the delivery of services to chil-
14 dren. The office for children shall work in concert with the secre-
15 tary of the executive office of health and human services, the
16 department of transitional assistance, and the department of social
17 services to consolidate said administration within said office.
18 Said secretary shall take all necessary steps to assure interagency
19 cooperation.

20 (b) The office for children shall enter into a series of transi-
21 tional inter-agency service agreements, for a period not to exceed
22 six months, with the aforementioned departments and office, for
23 the purpose of providing continuity of services during the consoli-

24 dation of day care services within said office. Said agreements
25 shall be entered into with the specific goal of centralizing day care
26 administrative functions within said office for children not later
27 than January 1, 1998. Said office shall issue written reports on a
28 monthly basis to the house and senate committees on ways and
29 means, the joint committee on human services and elderly affairs,
30 and the secretary of administration and finance on the progress of
31 said consolidation, beginning not later than October 1, 1997.

32 (c) The office for children shall develop and adopt a mission
33 statement to identify the commonwealth's public policy purposes
34 and priorities regarding the provision of subsidized day care. Said
35 statement shall be filed with the house and senate committees on
36 ways and means, the joint committee on human services and
37 elderly affairs, and the secretary of administration and finance not
38 later than September 15, 1997.

39 (d) Notwithstanding the provisions of any general or special
40 law to the contrary, the office for children is further authorized
41 and directed to perform post-audit reviews on a representative
42 sample of the income eligibility determinations performed by ven-
43 dors receiving funds from items 4130-3100, 4130-3200, and 4130-
44 3300 of section 2. Said office for children shall report quarterly to
45 the house and senate committees on ways and means and the sec-
46 retary of administration and finance on the error rate, if any, in
47 income-eligibility determinations calculated by said post-audit
48 reviews.

49 (e) The office for children is further authorized and directed to
50 provide quarterly reports to the house and senate committees on
51 ways and means and the secretary of administration and finance
52 on the number of children on waiting lists for state subsidized day
53 care, without duplication, beginning not later than December 31,
54 1997. For the purposes of coordinating said list, the office for
55 children shall direct all day care providers receiving funds from
56 items 4130-3200 and 4130-3300 of section 2 to report monthly to
57 the child care resource and referral agency in their region, the
58 names of any eligible children on waiting lists for services pro-
59 vided under said items of appropriation, beginning not later than
60 October 1, 1997. Said child care resource and referral agencies
61 shall compile the information received from individual providers

62 into a single list, without duplication, for each region and submit
63 said list to said office for children on a monthly basis, beginning
64 not later than November 1, 1997.

65 (f) The office for children is hereby further directed to formu-
66 late plans to implement recommendations for the improvement of
67 the administration and delivery of day care services in accordance
68 with the provisions of the report to be developed pursuant to the
69 provisions of section 337. Said office shall not enter into any com-
70 mitments on behalf of the commonwealth to implement said rec-
71 ommendations without prior authorization by law.

72 (g) Nothing stated herein shall give the office for children, or
73 any other entity within the executive office of health and human
74 services, authority to administer, regulate, or control services pro-
75 vided by agencies beyond the jurisdiction of said executive office,
76 except to the extent to which such authority existed on June 30,
77 1997.

1 SECTION 316. Notwithstanding the provisions of any general
2 or special law to the contrary, the comptroller is hereby authorized
3 to enter into contracts with private vendors to identify and pursue
4 cost avoidance opportunities for programs of the commonwealth
5 and to enter into interagency service agreements with state agen-
6 cies, as applicable, for said purpose; provided, however, that pay-
7 ments to private vendors on account of said projects shall be made
8 from actual cost savings as certified in writing to the house and
9 senate committees on ways and means by the comptroller and the
10 state budget director that are attributable to such cost avoidance
11 projects; provided, further, that the comptroller may establish pro-
12 cedures in consultation with the state budget director and the
13 affected departments as he deems appropriate and necessary to
14 accomplish the purposes of this section; and, provided further, that
15 nothing herein shall be construed so as to allow the comptroller or
16 the state budget director to establish any accounts without prior
17 statutory approval. The state budget director shall report on a
18 quarterly basis to the house and senate committees on ways and
19 means the status of all cost avoidance opportunities which are
20 undertaken pursuant to the provisions of this section. The comp-
21 troller shall report on said projects as a part of his annual report
22 under section 12 of chapter 7A of the General Laws.

1 SECTION 317. The director of the division of housing and
2 community development and the director of economic develop-
3 ment are hereby authorized to carry out an interagency agreement
4 for the expenditure of \$750,000 of previously transferred funds
5 from the oil overcharge trust fund, so-called, for the one and two
6 person program, so-called, for elders and families whose income
7 is in excess of 150 per cent of the federal poverty level, but not
8 more than 175 per cent of said level, and for a program of supple-
9 mental energy assistance for low-income elders and families to be
10 administered in accordance with the Low Income Home Energy
11 Assistance Act of 1981, as amended; provided, that said amount
12 may be expended from said fund for the fiscal year ending
13 June 30, 1998 without further appropriation; provided further, that
14 unexpended funds from an interagency agreement between the
15 director of housing and community development and the director
16 of economic development for the fiscal year ending June 30, 1997
17 are carried forward at and retained by the division of housing and
18 community development for said programs for low-income elders
19 and families; provided further, that notwithstanding the provisions
20 of any general or special law to the contrary, funds expended for
21 said one and two person program and for said program of supple-
22 mental energy assistance for low income elders and families shall
23 not be subject to federal reimbursement; and, provided further,
24 that funds provided through interagency agreements authorized
25 herein for supplemental energy assistance for low income elders
26 and families do not constitute an ongoing obligation of the
27 commonwealth.

1 SECTION 318. (a) Upon the request of the selectmen in a
2 town, the city council in a plan E city or the mayor in any other
3 city, the department of revenue may recalculate the minimum
4 required local contributions, as defined in section 2 of chapter 70
5 of the General Laws, in the fiscal year ending on June 30, 1998.
6 Based on the criteria outlined in this section, the department shall
7 recalculate the minimum required local contributions for a munic-
8 ipality's local and regional schools and certify the amounts calcu-
9 lated to the department of education.

10 (b) Any city or town that used qualifying revenue amounts in a
11 fiscal year which will not be available for use in the next year, or

12 that will be required to use revenues for extraordinary non-school
13 related expenses for which it did not have to use revenues in the
14 preceding fiscal year, or that has an excessive certified municipal
15 revenue growth factor which is also greater than or equal to one
16 and one-half times the state average municipal revenue growth
17 factor, may appeal to the department of revenue no later than
18 October 1, 1997 for an adjustment of its minimum required local
19 contribution and net school spending.

20 (c) If the claim is determined to be valid, the department of rev-
21 enue may reduce proportionately the minimum required local con-
22 tribution amount based on the amount of shortfall in revenue or
23 based on the amount of increase in extraordinary expenditures in
24 the current fiscal year, but no adjustment to the minimum required
25 local contribution on account of an extraordinary expense raised
26 in the budget of the fiscal year ending on June 30, 1998, shall
27 affect the calculation of the minimum required local contribution
28 in subsequent fiscal years. Qualifying revenue amounts shall
29 include, but not be limited to, extraordinary amounts of free cash,
30 overlay surplus, and other available funds.

31 (d) If, upon submission of adequate documentation, the depart-
32 ment of revenue determines that the municipality's claim
33 regarding an excessive municipal revenue growth factor is valid,
34 said department shall recalculate said municipal revenue growth
35 factor and the department of education shall use this revised
36 growth factor to calculate preliminary local contribution, min-
37 imum required local contribution and any other factor that directly
38 or indirectly uses the municipal revenue growth factor. Any relief
39 granted as a result of an excessive municipal revenue growth
40 factor shall be a permanent reduction in minimum required local
41 contribution.

42 (e) Upon the request of the selectmen in a town, the city
43 council in a plan E city, or the mayor in any other city, in a
44 majority of the member municipalities, any regional school dis-
45 trict which used qualifying revenue amounts in a fiscal year that
46 will not be available for use in the next fiscal year shall appeal to
47 the department of revenue not later than October 1, 1997, for an
48 adjustment to its net school spending requirement. If the claim is
49 determined to be valid, the department of revenue shall reduce the
50 net spending requirement based on the amount of the shortfall in

51 revenue and reduce the minimum required local contribution of
52 member municipalities accordingly. Qualifying revenue amounts
53 shall include but not be limited to extraordinary amounts of excess
54 and deficiency, surplus, and uncommitted reserves.

55 (f) Any regional school district which received regional school
56 incentive aid in fiscal year 1995 shall, upon the request of the
57 selectmen in a town, the city council in a plan E city, or the mayor
58 in any other city, in a majority of the member municipalities,
59 appeal to the department of education for an adjustment in the
60 minimum required local contribution of its member municipali-
61 ties. The department of education may reduce the increased
62 assessment of the member municipalities as a result of the reorga-
63 nization of the regional school district by using a portion of the
64 regional incentive aid to reduce the prior year local contribution.

65 (g) If the regional school budget has already been adopted by
66 two-thirds of the member municipalities, then upon a majority
67 vote of the member municipalities the regional school committee
68 shall adjust the assessments of the member municipalities in
69 accordance with the reduction in minimum required local contri-
70 butions approved by the department of revenue or the department
71 of education in accordance with the provisions of this section.

72 (h) Notwithstanding the provisions of clause (14) of section 3
73 of chapter 214 of the General Laws or any other general or special
74 law to the contrary, the amounts so determined shall be deemed to
75 be the minimum required local contribution described in said
76 chapter 70; provided, that the house and senate committees on
77 ways and means and the joint committee on education, arts and
78 humanities shall be notified by the department of revenue and the
79 department of education of the amount of any reduction in the
80 minimum required local contribution amount.

81 (i) In the event that a city or town has an approved budget that
82 exceeds the recalculated minimum required local contribution and
83 net school spending amounts for its local school system or its
84 recalculated minimum required local contribution to its regional
85 school districts as provided by this section, the local appropriating
86 authority shall determine the extent to which the community
87 avails itself of any relief authorized under this section.

88 (j) The amount of financial assistance due from the common-
89 wealth in fiscal year 1998 under chapter 70 or any other provision

90 of law shall not be changed on account of any redetermination of
91 the required minimum local contribution under this section. The
92 department of revenue and the department of education shall issue
93 guidelines for their respective duties under this section.

1 SECTION 319. Notwithstanding any general or special law to
2 the contrary, if the secretary of the executive office of elder
3 affairs, after consultation with the secretary of administration and
4 finance, determines on or before July 1, 1997, that based upon
5 enrollment as of such date, projected spending for senior phar-
6 macy assistance benefits pursuant to section 16B of chapter 118E
7 of the General Laws for fiscal year 1998 will not exceed
8 \$25,000,000, the division of medical assistance and the executive
9 office of elder affairs shall:

10 (1) allow eligible persons whose annual income does not
11 exceed 150 percent of the federal poverty level to enroll in said
12 senior pharmacy assistance program for fiscal year 1998; and

13 (2) extend the enrollment period for such program until
14 August 31, 1997.

15 Notwithstanding the provisions of this section, said division
16 and said executive office shall not approve applications which
17 would cause program expenditures to exceed amounts appropri-
18 ated therefor.

1 SECTION 320. Notwithstanding the provisions of any general
2 or special law to the contrary, no city, town or regional school dis-
3 trict shall receive less than \$75 per student under the provisions of
4 chapter 70 of the General Laws for fiscal year 1998.

1 SECTION 321. Notwithstanding the provisions of any general
2 or special law to the contrary, in order to meet the estimated costs
3 of employee fringe benefits provided by the commonwealth on
4 account of employees of the Massachusetts State College Building
5 Authority, the University of Lowell Building Authority, the Uni-
6 versity of Massachusetts Building Authority and the Southeastern
7 Massachusetts University Building Authority, and in order to meet
8 the estimated cost of heat, light, power and other services, if any,
9 to be furnished by the commonwealth to projects of the Massa-
10 chusetts State College Building Authority and the University of

11 Lowell Building Authority, the boards of trustees of the state col-
12 leges and the University of Massachusetts shall transfer to the
13 general fund from the funds received from the operation of said
14 projects such costs, if any, as shall be incurred by the common-
15 wealth for the aforesaid purposes in the current fiscal year, as
16 determined by the appropriate building authority, verified by the
17 chancellor of higher education, and approved by the secretary of
18 education and the secretary for administration and finance.

1 SECTION 322. Notwithstanding the provisions of any general
2 or special law to the contrary, any amounts, including principal,
3 interest and penalties due to the medical security trust fund, estab-
4 lished in section 20 of chapter 118G of the General Laws, and
5 owing as of the effective date of this act from any regional school
6 district or educational collaborative pursuant to section 14G of
7 chapter 151A of the General Laws, are hereby extinguished and
8 the payment thereof excused. Nothing in this section shall be con-
9 strued to provide the basis for the refund of payments made by
10 any regional school district or educational collaborative to said
11 fund prior to the effective date of this section.

1 SECTION 323. Notwithstanding any provision of general or
2 special law to the contrary, four additional assistant clerks with
3 salaries payable by the commonwealth may be appointed in the
4 following court: the Middlesex superior court; two additional
5 assistant clerks with salaries payable by the commonwealth may
6 be appointed in the following courts: the district court of
7 Somerville, the district court of Fitchburg, the first district court
8 of Essex, the first district court of Bristol, the central northern dis-
9 trict court of Essex, the municipal court of the Charlestown dis-
10 trict, and the district court of Lowell; one additional assistant
11 clerk with salaries payable by the commonwealth may be
12 appointed in the following courts: the Dukes county superior
13 court, the Barnstable county juvenile court, the Norfolk county
14 juvenile court, the fourth district court of Bristol, the district court
15 of Brockton, the district court of East Norfolk, the municipal court
16 of the Dorchester district, and the district court of Franklin.

1 SECTION 324. There shall be continued a North Quabbin
2 Domestic Violence Prevention Program to provide counseling

3 advocacy, legal advocacy, community education and a hotline in
4 the Athol area. The program shall be funded through the depart-
5 ment of public health, the department of education, and the
6 department of social services. The program shall develop a com-
7 munity based approach to facilitate the use of direct services and
8 effective community education and prevention work.

1 SECTION 325. Notwithstanding the provisions of any general
2 or special law to the contrary, the Gate 31 Fishing Area, so-called,
3 at the Quabbin Reservoir shall be designated as the Senator
4 Robert D. Wetmore Fishing Area.

1 SECTION 326. Notwithstanding the provisions of any general
2 or special law to the contrary, the department of education shall
3 submit a report detailing the progress of the following line items
4 towards the goals of education reform: 7061-9300, 7061-9400,
5 7061-9615, 7061-9620, 7061-9621, 7061-9622, and 7061-9625.
6 Said report shall include but not be limited to a description of the
7 purpose of any grants that are to be used within said items, the
8 names and the amounts of the grants, whether the grants are com-
9 petitive, and whether there is any local match to said grants.
10 Within the description of the purpose of said grants shall be
11 included a statement which identifies the substantive contribution
12 toward the goals of education reform achieved by said grants.
13 Said report shall also include performance goals and a completion
14 timeline for each project relating to said items, and shall also
15 include a detailed spending plan for the funds appropriated within
16 said items, including but not limited to, funds for the purpose of
17 accounting and posting, printing, contracting and compensation,
18 and hardware and software purchases. Said report shall be sub-
19 mitted to the house and senate committees on ways and means and
20 the joint committee on education, arts and humanities no later
21 than January 20, 1998.

1 SECTION 327. Notwithstanding the provisions of any general
2 or special law to the contrary, the personnel administrator is
3 hereby authorized and directed to develop a revised management
4 pay plan for the commonwealth. Said revised management pay
5 plan shall replace the management pay plan contained in

6 section 46C of chapter 30 of the General Laws. Said revised man-
7 agement pay plan shall be filed in the form of legislation with the
8 house and senate clerks not later than October 1, 1997; provided,
9 that said revised management pay plan shall not take effect until it
10 is enacted into law.

1 SECTION 328. Notwithstanding the provisions of any general
2 or special law to the contrary, the personnel administrator, in con-
3 sultation with the state comptroller, shall file a revised personnel
4 schedule with the house and senate committees on ways and
5 means. Said schedule shall reschedule positions to those items of
6 appropriation from which the majority of such positions' compen-
7 sation is paid. Said revised personnel schedule shall be designed
8 so as to minimize the need for the state comptroller to employ the
9 Personnel Cost Reporting System, so-called, in allocating charges
10 for compensation of state personnel. Said plan shall be filed with
11 the house and senate committees on ways and means not later than
12 September 1, 1997 and shall take effect not later than Sep-
13 tember 30, 1997. The personnel administrator and the comptroller
14 are hereby authorized and directed to make such adjustments as
15 are necessary to the Massachusetts management accounting and
16 reporting system, so-called, the Personnel Administrative
17 Reporting Information System, so-called, and the Payroll Cost
18 Reporting System, so-called, in order to implement the revised
19 personnel schedule filed under the provisions of this section.

1 SECTION 329. Notwithstanding the provisions of any general
2 or special law to the contrary, the secretary of the executive office
3 of health and human services is hereby authorized and directed to
4 study the various services provided under the Turning 22 pro-
5 grams, so-called, of the department of mental retardation, the
6 Massachusetts commission for the blind and the Massachusetts
7 rehabilitation commission. Said study shall include, but shall not
8 be limited to, a review of: (1) the service needs of the consumers
9 served by said Turning 22 programs; (2) whether there are more
10 effective and efficient means of providing for such service needs;
11 (3) whether there would be any administrative efficiencies or sav-
12 ings if the management of said Turning 22 programs were consoli-
13 dated within a single state agency; and (4) a projection of the

14 numbers of consumers which will be eligible for services under
15 said Turning 22 programs in each of the next five fiscal years and
16 the total costs of serving such consumers. Said study shall be sub-
17 mitted to the house and senate committee on ways and means not
18 later than October 1, 1997.

1 SECTION 330. Notwithstanding the provisions of any general
2 or special law to the contrary, the commissioner of the department
3 of public health is hereby authorized and directed to study the
4 staff to patient ratios of the department's four public health hospi-
5 tals. Said study shall review the appropriateness of such staff to
6 patient ratios in comparison to ratios in other comparable public
7 and private hospitals. Said study shall make such recommenda-
8 tions as may be appropriate to adjust said staff to patient ratios if
9 needed. Said study shall be filed with the house and senate com-
10 mittees on ways and means not later than December 31, 1997.

1 SECTION 331. Notwithstanding the provisions of any general
2 or special law to the contrary, the secretary of administration and
3 finance shall study the methods of procuring fuel for state vehi-
4 cles, including, but not limited to, vehicles operated by the metro-
5 politan district commission, the state police, the departments of
6 environmental management, fisheries and wildlife, highways,
7 public health, mental health, corrections, and mental retardation.
8 Said study shall review current methods of procurement and shall
9 identify such measures, including, but not limited to, bulk pur-
10 chasing, as will reduce the costs of procurement. Said study shall
11 also identify any increased costs associated with purchasing fuel
12 for vehicles through the use of state credit cards. Said study shall
13 make such recommendations as may be appropriate to reduce the
14 overall costs of procurement and shall make recommendations
15 regarding the proper oversight of funds expended for the procure-
16 ment of fuel for state operated vehicles. Said study shall be filed
17 with the house and senate committees on ways and means not
18 later than October 1, 1997.

1 SECTION 332. Notwithstanding the provisions of any general
2 or special law to the contrary, the executive office of transporta-
3 tion and construction, the Pioneer Valley Regional Transit

4 Authority, and the city of Springfield are hereby authorized and
5 directed to study the expansion of transit service in said city to
6 include nights and weekends. Said study shall focus and make rec-
7 ommendations on the following items: (1) the costs to the city of
8 Springfield and the commonwealth of implementing such service;
9 (2) the economic benefits to the city of Springfield from the
10 implementation of expanded service; (3) appropriate fare struc-
11 tures and other funding mechanisms required to implement such
12 service; (4) the estimated ridership which would utilize such
13 expanded service. Said study shall be submitted to the house and
14 senate committees on ways and means not later than
15 December 31, 1997.

1 SECTION 333. On or before October 15, 1997, the department
2 of transitional assistance shall submit to the committee on human
3 services and elderly affairs and the house and senate committees
4 on ways and means a report detailing the degree to which insuffi-
5 ciency of transportation impedes the ability of recipients of bene-
6 fits pursuant to chapter 118 of the General Laws, as modified by
7 section 110 of chapter 5 of the acts of 1995, to obtain and retain
8 meaningful employment, and setting forth the department's com-
9 prehensive proposals for addressing such impediments.

1 SECTION 334. (a) Notwithstanding any general or special law
2 to the contrary, there is hereby established a special commission
3 to design, and to retain a professional, independent individual or
4 entity to conduct a study of the effects on current and former
5 recipients of benefits pursuant to chapter 118 of the General Laws,
6 as modified by chapter 5 of the acts of 1995, of the implementa-
7 tion of the provisions of said chapter 5 and the provisions of the
8 federal Personal Responsibility and Work Opportunity Reconcilia-
9 tion Act of 1996. The commission shall be co-chaired by the
10 chairs of the joint committee on human services and elderly
11 affairs and the commissioner of the department of transitional
12 assistance. There shall be nine additional members of said com-
13 mission who shall be the secretary of administration and finance
14 or his designee, the chairs of the house and senate committees on
15 ways and means or their designees, one member appointed by the
16 minority leader of the house, one member appointed by the

17 minority leader of the senate, one president of a community col-
18 lege to be selected by the board of education, two representatives
19 of nonprofit organizations which provide services to such recipi-
20 ents to be selected by the co-chairs of the commission, and a
21 member selected by the Massachusetts State Labor Council, AFL-
22 CIO.

23 (b) The commission shall determine the appropriate parameters
24 of such a study, which may include interviewing and tracking over
25 a period of at least one year a representative sample of current and
26 former recipients to assess the initial and ongoing effects of said
27 laws on said recipients' lives.

28 (c) The commission shall establish an appropriate timetable for
29 production of a final report, provided that interim reports shall be
30 filed with the house and senate committees on ways and means on
31 or before February 1, 1998 and November 1, 1998.

1 SECTION 335. Notwithstanding any general or special law to
2 the contrary, the secretary of administration and finance and the
3 secretary of the executive of environmental affairs are authorized
4 and directed to study and make recommendations with regard to
5 the statewide allocation of the unassigned environmental police
6 officers; provided, however, that for the purposes of the study and
7 recommendations said secretaries shall consult with the depart-
8 ment of environmental affairs and the division of fisheries and
9 wildlife law enforcement; and, provided further, that the study
10 shall be completed together with recommendations, if any, not
11 later than October 1, 1997.

1 SECTION 336. Notwithstanding the provisions of any general
2 or special law to the contrary, the low-level radioactive waste
3 management board established by chapter 111H of the General
4 Laws shall file with the joint committee on natural resources and
5 agriculture and the house and senate committees on ways and
6 means not later than February 1, 1998, a report which shall
7 specify the long-term plan for the disposal of low-level radioac-
8 tive waste generated within the commonwealth by generators
9 under the jurisdiction of the board. The plan shall include, but not
10 be limited to, an assessment of the current and anticipated output
11 of generators including all efforts at source minimization, current

12 and anticipated actions taken by the board with regard to in-state
13 siting, current and anticipated agreements with out-of-state dis-
14 posal facilities including the terms of current contracts and the
15 long-term projected availability of out-of-state disposal facilities,
16 and a description of all actions of the board with regard to devel-
17 oping a long-term disposal solution.

1 SECTION 337. Notwithstanding the provisions of any general
2 or special law to the contrary, the office for children is hereby
3 authorized and directed to expend not more than \$200,000 from
4 item 4130-0001 of section 2 for an independent evaluation of the
5 current system of day care administration and delivery within the
6 executive office of health and human services, including a report
7 on improving said system consistent with the provisions and
8 intentions of chapter 5 of the acts of 1995; provided, that said
9 report shall be filed with the house and senate committees on
10 ways and means and the secretary of administration and finance
11 not later than February 1, 1998, and shall include, but not be lim-
12 ited to, the following: (a) an analysis of the role of child care
13 resource and referral agencies, including any need for, or desir-
14 ability of, an expanded role for such agencies in the administra-
15 tion and distribution of day care; (b) an analysis of the need for
16 expanded technology in the administration and delivery of day
17 care, including a cost-benefit analysis of implementing a unified
18 intake and eligibility system, and a cost-benefit analysis of cre-
19 ating and operating a centralized database, accessible from mul-
20 tiple points statewide, to track both the income eligible waiting
21 list and all available openings for day care from providers
22 receiving state funds; (c) an analysis of current day care adminis-
23 tration with a focus on ways to (i) streamline the current system;
24 (ii) provide greater accountability; and (iii) improve the accessi-
25 bility of services; (d) an analysis of possible ways to reduce the
26 size of the waiting list for income eligible day care, with a focus
27 on identifying sources of funding other than the commonwealth;
28 (e) recommendations to improve the current administration and
29 delivery of day care services based on the aforementioned
30 analyses; (f) a thorough cost analysis of each recommendation,
31 including the cost implications for fiscal years 1998 through 2000,

32 inclusive; (g) a proposed draft of any and all legislation and regu-
33 latory changes that would be needed to implement the recommen-
34 dations of said report.

1 SECTION 338. The department of social services shall
2 develop specialized standards for foster homes or other facilities
3 designated to receive referrals of sexually abusive youth or arson-
4 ists pursuant to section 33B of chapter 119 of the General Laws,
5 as amended by section 142. The department shall file a plan for
6 implementing such standards, including estimates of any addi-
7 tional appropriations that such implementation might require, with
8 the joint committee on human services and elderly affairs and the
9 house and senate committees on ways and means on or before
10 March 31, 1998.

1 SECTION 339. The executive office of environmental affairs,
2 the department of environmental protection, the department of
3 economic development and the strategic envirotechnology part-
4 nership, so called, shall conduct a study and prepare a report
5 which shall include, but not be limited to, an assessment and eval-
6 uation of the supply of recyclable materials and the demand for
7 recyclable materials in the commonwealth, and the development
8 of a strategic plan to promote the use of recyclable materials.
9 Said report shall include, but not be limited to, estimates of quan-
10 tities of non-hazardous solid waste generated by residential,
11 municipal, commercial and construction and demolition sources;
12 and an assessment and evaluation of the quantity of materials col-
13 lected and recovered as recyclable materials, the amount of recy-
14 clable materials potentially available as a post-consumer waste,
15 the amount of recyclable materials reclaimed and processed, and
16 the amount of recyclable materials sold and used as materials or
17 commodities for the manufacture or production of new goods or
18 products. Materials evaluated shall include, but not be limited to:
19 glass, plastic, metal, paper, wood, organics, and tires. Said report
20 shall include an estimate of the savings to the commonwealth of
21 the diversion of recyclable materials by avoided costs such as tip-
22 ping fees, landfill construction and incineration, and other associ-
23 ated costs of solid waste management. Said report shall present a
24 detailed analysis of the potential for successful recycling of each

25 material under investigation, including an objective analytical
26 approach which identifies materials with stable or mature markets,
27 problematic materials which may require stimulation through
28 development initiatives at the state or local level, barriers to
29 market demand and materials with promising demand trends for
30 the future. Said report shall assess and evaluate the impact of
31 existing state and local programs on the supply and demand of
32 recyclable materials. Said report shall include a strategic plan with
33 the goal of using state and local resources to maximize voluntary
34 private activity and investment in using recyclable materials in
35 manufacturing and production, promotion and the use of recy-
36 clable materials in manufacturing and production, and increasing
37 the demand for new goods or products made with recyclable mate-
38 rials. Said report shall estimate supply and demand by materials
39 beginning in 1994, including projections through 2001. Said
40 report shall provide a methodology and model for ongoing assess-
41 ment of Massachusetts recycling markets in the future, to be pre-
42 pared separately or as part of subsequent versions of the solid
43 waste master plan. Said report shall be filed with the house and
44 senate committees on ways and means and the joint committee on
45 natural resources and agriculture not later than April 1, 1998.

1 SECTION 340. (a) In order to promote accountability for effec-
2 tive management and stewardship of public funds, and to achieve
3 and demonstrate measurable educational outcomes, the institu-
4 tions shall certify achievement of public higher education
5 accountability objectives through a performance measurement
6 system. The board of higher education, in this section called The
7 Board, in conjunction with the institutions, shall develop said
8 system including specific performance measures with which to
9 evaluate the institutions and with which to compare them with
10 peer institutions with similar missions in other states. The board
11 shall conduct not less than three regional public hearings on the
12 measures proposed to be incorporated into said system.

13 (b) The board, in consultation with the councils of state and
14 community colleges, shall identify peer institutions for the state
15 and community colleges. The higher education accountability
16 objectives shall include, but not be limited to, the following: (1) to
17 make public higher education more affordable; (2) to improve stu-

18 dent access and academic achievement; (3) to recruit qualified
19 students; (4) to respond to specific needs of the workplace, as
20 defined by business and labor; (5) to provide policy research
21 addressing the needs of the commonwealth and local communi-
22 ties; (6) to ensure cost-effective use of resources at each institu-
23 tion and across all institutions, and manage campuses as
24 efficiently as possible; (7) to promote collaboration among the
25 campuses and with the private sector; (8) to support K-12 educa-
26 tion programs and (9) to maximize fundraising from private
27 sources.

28 (c) In order to measure the achievements and expected out-
29 comes of the commonwealth's system of public higher education,
30 the board shall form, no later than September 1, 1997, a separate
31 task forces for the state and community college segments con-
32 sisting of presidents, or their appointees, and members of boards
33 of trustees of the institutions.

34 (d) For each of the accountability objectives, the board, in con-
35 junction with each task force, shall establish intelligible perfor-
36 mance measures and identify data items that must be obtained for
37 each performance measure. Data shall be collected and analyzed
38 on a campus, segmental and system wide basis; provided, how-
39 ever, the board and the campuses shall jointly establish definitions
40 for all data items used in the performance measurement system.

41 (e) In order to achieve the accountability objectives of cost
42 effective use of resources and efficient fiscal management of the
43 institutions, each task force shall match or improve upon stan-
44 dards established by national association of college and university
45 business officers (NACUBO). Said performance measurement
46 system shall be regularly evaluated and revised by the board in
47 consultation with the institutions to ensure that it continues to
48 measure the achievements and expected outcomes of the common-
49 wealth's public higher education system. Said accountability
50 objectives, performance measures and data items shall be sub-
51 mitted to the house and senate committees on ways and means,
52 and the joint committee on education, arts and humanities. Imple-
53 mentation of said performance measurement system shall com-
54 mence not later than July 1, 1998.

55 (f) The board shall use said accountability objectives, perfor-
56 mance measures, and expected outcomes to conduct an annual

57 evaluation of the performance of each institution. Any institu-
58 tion's failure to meet a reasonable number of said accountability
59 objectives, as determined by the performance measures, within a
60 given year shall be deemed underperforming. If the board finds an
61 institution to be underperforming, the institution's board of
62 trustees shall develop and implement a performance improvement
63 plan and timetable to be approved by the board of higher educa-
64 tion. Each plan shall be submitted to the house and senate com-
65 mittees on ways and means, and the joint committee on education
66 arts and humanities. If the institution fails to achieve the agreed to
67 targeted improvements and time line, funds appropriated for said
68 underperforming institution in the following fiscal year shall be
69 disbursed by the board of higher education to said institution's
70 board of trustees subject to the board's approval. The board shall
71 not be prevented from amending the institutional allocation of an
72 underperforming institution.

73 (g) Not later than January 1 of each year, the chancellor of the
74 board of higher education shall submit to the governor and the
75 legislature an annual condition of higher education report which
76 details the condition and performance of each public higher edu-
77 cation institution.

78 (h) The board shall structure its staff and financial resources to
79 provide technical assistance to institutions to help them identify
80 problems and assist them with formulating and implementing
81 plans to meet said accountability measures. The board shall, sub-
82 ject to appropriation, establish a grant program for the purpose of
83 enabling campuses to hire independent experts to provide addi-
84 tional technical assistance. The board shall promulgate and imple-
85 ment regulations and procedures for the technical assistance grant
86 program not later than September 1, 1997.

87 (i) The board of trustees of the University of Massachusetts is
88 hereby directed to develop a performance measurement system for
89 the university, in consultation with the board of higher education.
90 The objectives of said performance measurement system shall
91 include the following: (1) to promote student access and afford-
92 ability; (2) to recruit qualified undergraduate and graduate stu-
93 dents; (3) to promote student success; (4) to pursue theoretical and
94 applied research, scholarship and creative activity; (5) to con-
95 tribute to the economic development of the commonwealth; (6) to

96 support K-12 education programs; (7) to provide policy research
97 addressing the needs of the commonwealth and local communi-
98 ties; (8) to ensure cost effective use of resources; (9) to maximize
99 fundraising from private sources. Said system shall include per-
100 formance indicators for each of these purposes and identify data to
101 be used in measuring performance. The board of trustees may
102 compare institutional performance with the performance of peer
103 institutions with similar missions as part of its evaluation process.

104 (j) Implementation of said university performance measurement
105 system shall commence not later than July 1, 1998. The university
106 shall adopt an implementation plan and timetable for meeting per-
107 formance measures established by said system. The board of
108 trustees shall report annually to the governor and the general court
109 on the results of said performance measurement system, including
110 recommendations for improvements to the system and for
111 achieving improved levels of performance where necessary. The
112 board of trustees shall issue its first report on or before January 1,
113 1999.

1 SECTION 341. The Massachusetts board of library commis-
2 sioners is hereby authorized and directed to conduct a study of
3 collection development policies and practices in public libraries in
4 Massachusetts. Said study shall include, but not be limited to the
5 apportionment of collection development budgets by spending
6 category, by subject matter and by patron age group. The board
7 shall also design and submit to the senate committee on ways and
8 means and the joint legislative committee on education, arts,
9 humanities by October 1, 1997 a proposal for a program of grants,
10 to be made to municipal libraries across the state which conform
11 to the Massachusetts library association's standards of operation
12 and whose collection development purchases are categorically
13 proportionate to its circulation statistics, said grant monies to be
14 used to create and fund new full time equivalent positions within
15 said municipal library, said positions which shall pay, in salary
16 and benefits, remuneration of \$30,000 per annum, provided that
17 no municipality may receive more than two such grants per cal-
18 endar year, provided that one such grant shall equal one full time
19 equivalent position.

1 SECTION 342. The department of state police is hereby autho-
2 rized and directed to provide a report to the senate and house com-
3 mittees on ways and means by not later than February 1, 1998,
4 detailing the costs associated with the implementation of the
5 Quinn Bill, so-called. Said report shall list the annual state police
6 costs of the Quinn Bill by rank of officer, for the last two fiscal
7 years, and also shall include estimates for fiscal year 1998. Said
8 department shall also work with municipal police departments, the
9 board of higher education, and the executive office of public
10 safety, to provide information on the costs associated with the
11 Quinn bill by rank of municipal officers, for the last two fiscal
12 years.

1 SECTION 343. Notwithstanding the provisions of any general
2 or special law to the contrary, the public employees' retirement
3 administration commission shall conduct a study of the impact of
4 changing the level of public employee pension contribution from
5 9 to 8 per cent. Said study shall include information on employees
6 that are not state police, whose regular compensation contribution
7 to the annuity savings fund was 8 per cent, prior to the enactment
8 of chapter 151 of the acts of 1996. Said study shall consider the
9 ability of an 8 per cent employee contribution and its projected
10 earnings together with an appropriate employer subsidy, if any, to
11 fully fund an employee's retirement allowance, the impact of an 8
12 per cent employee contribution on the retirement system as a
13 whole, the estimated percentage shares to be assumed by pension
14 system investment earnings, employee contributions and employer
15 subsidies, if any, to fully fund an employee's retirement
16 allowance, and any other relevant aspects of such a change. Said
17 study shall be filed with clerks of the House and the Senate on or
18 before February 1, 1998.

1 SECTION 344. The department of correction, in collaboration
2 with the executive office of elder affairs, is hereby directed to
3 study the costs associated with creating a separate housing area
4 for elderly and ill members of the prison population. Said housing
5 area may be a wing that is an existing part of a house of correction
6 or jail, or may be proposed as new construction. Said study shall
7 determine the costs associated with both housing scenarios, and

8 provide inmate census information delineating the total elderly
9 state prisoner population, including information on illnesses and
10 problems the elderly population encounters that are related to their
11 age. The study shall also provide information on the population of
12 prisoners that are not elderly, but have long term illnesses, and are
13 still members of the general population, specifically, not including
14 those prisoners that are mentally ill, or housed in a long term care
15 facility such as the Lemuel Shattuck hospital. Said information
16 shall be used in determining the problems encountered by that
17 population that are related to their illnesses. When examining the
18 costs and implications of creating a separate wing for both popula-
19 tions, said department shall delineate the benefits and liabilities of
20 combining both populations and shall make recommendations
21 regarding the proposal. Recommendations and study shall be pro-
22 vided concurrently to the joint committee on public safety, and
23 senate and house committees on ways and means by April 1,
24 1998.

1 SECTION 345. The Massachusetts Bay Transportation
2 Authority is hereby authorized and directed to conduct a compre-
3 hensive study evaluating its transportation operations. Said study
4 shall include, but not be limited to, the following: a fiscal
5 accounting of revenues generated and costs incurred by (1) current
6 bus service; (2) current light rail and rapid transit service; and (3)
7 commuter rail operations; a fiscal accounting of costs incurred
8 through operation of current (1) bus service; (2) light rail and
9 rapid transit service; and (3) commuter rail operations; a fiscal
10 accounting of any and all programmed or planned outsourcing of
11 bus service; a fiscal accounting of projected revenues and costs, of
12 expanding the current scope of operations, including , but not lim-
13 ited to, the urban ring project, so-called, the north-south rail link,
14 so-called, and the expansion of commuter rail service along the
15 Old Colony line, so-called. Said study shall also evaluate the costs
16 and benefits of establishing reverse commuter rail services, so-
17 called, service which allows commuters to travel from central city
18 locations to outlying suburban destinations. Said study shall be
19 submitted to the joint committee on transportation, the house and
20 senate committees on ways and means, and the house and senate
21 clerks not later than December 31, 1997.

1 SECTION 346. The department of revenue is hereby directed to
2 review and develop an implementation plan for the recommenda-
3 tions contained in the publication “Road Fund Tax Evasion: A
4 State Perspective” issued by the Council of State Governments.
5 Said implementation plan shall be accompanied by any legislation
6 necessary to implement the recommendations of said publication.
7 Said plan and legislation shall be filed with the joint committee on
8 taxation and the house and senate committees on ways and means
9 on or before October 15, 1997. Those recommendations which do
10 not need accompanying legislation shall be implemented by the
11 department on or before January 1, 1998. The department shall
12 issue annual reviews of the goals of the implementation plan.

1 SECTION 347. Notwithstanding the provisions of any general
2 or special law to the contrary, for fiscal year 1997, funds trans-
3 ferred pursuant to subsection (b) of section 5C of chapter 29 of
4 the General Laws to an account established pursuant to said sub-
5 section (b), may be expended without further appropriation; pro-
6 vided, that said funds are expended for projects otherwise
7 authorized pursuant to section 49 of said chapter 29.

1 SECTION 348. Notwithstanding the provisions of any general
2 or special law to the contrary, except as provided in sections 52
3 to 55, inclusive, of chapter 7 of the General Laws, the secretary of
4 administration and finance is hereby authorized and directed in
5 fiscal years 1998 and 1999 to identify and pursue projects to opti-
6 mize non-tax revenue management and collections by the com-
7 monwealth. The secretary or his designee is further authorized to
8 enter into contracts with private vendors and to enter into intera-
9 gency service agreements with departments to identify and pursue
10 said projects. Private vendors shall be compensated from nontax
11 revenues collected by such projects in excess of the nontax rev-
12 enues established by said contracts as the minimum to be col-
13 lected by each such project. For the purposes of this section, such
14 payments to vendors for services performed shall be known as
15 “vendor participation payments” and nontax revenue collected
16 pursuant to this section, after deduction of vendor participation
17 payments, shall be known as “net additional revenue.” For the
18 purpose of this section the terms “departments” or “participating

19 departments” shall mean any department, agency, board, commis-
20 sion, office or institution under the executive control of the gov-
21 ernor or other constitutional officers and determined by the
22 secretary to be participating in the revenue optimization projects
23 authorized by this section.

24 In no case shall a vendor be compensated if the revenues col-
25 lected for a revenue source do not exceed the highest amount col-
26 lected for said revenue source for a fiscal year during the base
27 period; provided, however, in the event of revenue sources which
28 are caseload drive federal reimbursements, so called, the vendor
29 shall not be compensated unless the ratio of said revenue source to
30 the reimbursable expenditure has exceeded the highest said ratio
31 during the base period. For the purpose of this section the term
32 “base period” shall refer to the fiscal years beginning on July 1,
33 1991 and ending on June 30, 1997; provided, however, revenues
34 which are attributable to a new fee or a newly reimbursable
35 service or clientele shall be considered to have a base period rev-
36 enue level of zero.

37 In no case shall a department receive an allocation or realloca-
38 tion for collection of a fee or any other nontax revenue from
39 which the commonwealth collected revenues in any fiscal year
40 between 1991 and 1997, inclusive, if the net additional revenue
41 attributable to the collection of said fee or other nontax revenue is
42 less than the highest amount of revenue collected from said fee or
43 other nontax revenue in any of the aforementioned fiscal years;
44 provided, however, that said net additional revenues shall only be
45 those amounts collected which are in excess of the amounts pro-
46 jected in section 1B for each department, office, commission and
47 agency or successor. The commonwealth shall retain all rights in
48 software programs developed pursuant to any contract executed
49 under this sections.

50 The comptroller shall deposit in the Maximization Fund, estab-
51 lished by section 2R of chapter 29 of the General Laws, all
52 monies collected pursuant to the provisions of this section. The
53 comptroller is hereby authorized to allocate from said fund, upon
54 the direction of the secretary of administration and finance, up to
55 the amount of the appropriation contained in item 1599-0033 of
56 section 2 to participating departments; provided, however, that
57 any amount so allocated shall be in excess of the first \$30,000,000

58 in net additional revenues credited to said fund consistent with
59 this section. Eighty-five per cent of said appropriation shall be
60 distributed to participating departments in proportion to the
61 amount of revenues collected by said department as a per cent of
62 the total amount of revenues collected under the provisions of this
63 section. The remaining 15 per cent shall be evenly distributed to
64 all participating departments regardless of the amount of revenues
65 collected by each individual department. The comptroller shall
66 transfer to the General Fund, at the close of the fiscal year, after
67 providing for vendor participation payments, the first \$30,000,000
68 in net additional revenues and any balance remaining in said fund
69 after providing for said allocations. No expenditure shall be made
70 from said revenue maximization fund which would cause said
71 fund to be in deficit at the close of the fiscal year.

72 Departments receiving allocations pursuant to said item 1599-
73 0033, subject to the provisions of this section, may expend such
74 funds without appropriation after obtaining the written approval of
75 said secretary or his designee of a plan detailing said proposed
76 expenditures, allocations and reallocations and filing said
77 approved plan with the house and senate committees on ways and
78 means 10 days in advance of any allocation or reallocation. All
79 expenditures made pursuant to the provisions of this section and
80 item 1599-0033 shall be for one-time expenses which shall not
81 recur in fiscal year 1999 or a subsequent fiscal year. No expendi-
82 tures authorized by the provisions of this section and said item
83 1599-0033 shall supplant funds appropriated in any item of appro-
84 priation in sections 2 or 2B or in sections 2 or 2A of any supple-
85 mental appropriations act enacted in fiscal year 1998 or a
86 subsequent fiscal year. For the purposes of this section, the term
87 “supplant” shall be defined as expenditures made for any purpose
88 which receives an appropriation in this act or a subsequent appro-
89 priation act. Any unexpended balance from said allocations at the
90 end of each fiscal year shall revert to the General Fund unless said
91 spending plan has been approved by the secretary as a multi-year
92 expenditure.

93 The comptroller shall report, not later than January 31 of each
94 year, to the house and senate committees on ways and means the
95 results and operations of the revenue optimization projects autho-
96 rized by this section for the six-month period ending the preceding

97 month. Such information shall detail, by each vendor, project and
98 department: (i) the amount of vendor participation payments paid
99 to each such vendor, the net additional revenues retained by the
100 commonwealth, the amounts allocated or reallocated to each such
101 participating department, pursuant to said item 1599-0033 and this
102 section, and the estimated annual receipts, payments and alloca-
103 tions for the fiscal year.

104 The comptroller shall report to the house and senate committees
105 on ways and means, not later than July 31 of each year, the pre-
106 ceding information for the prior fiscal year and the total of all
107 vendor participation payments made to each vendor and the net
108 commonwealth receipts collected by each project over the dura-
109 tion of the project. On or before July 31 of each fiscal year, the
110 comptroller, after approval of said secretary, shall file with the
111 house and senate committees on ways and means a plan detailing
112 the net additional revenues estimated to be collected under the
113 provisions of this section in the fiscal year, by executive office
114 and department.

115 The provisions of this section shall remain in effect until
116 June 30, 1999.

1 SECTION 349. The department of housing and community
2 development shall promulgate regulations implementing
3 section 141 not later than September 1, 1997, and maximum
4 rentals, income deductions, income exclusions and rent levels
5 mandated by said section shall take effect on January 1, 1998.

1 SECTION 350. The secretary of the executive office of envi-
2 ronmental affairs is hereby authorized and directed to develop a
3 plan for the provision of state financial assistance to communities
4 making debt service payments on federally mandated drinking
5 water treatment facilities including, but not limited to, the cities of
6 Attleboro and North Adams. Said plan shall include the total cost
7 to the commonwealth of providing assistance at a level of 50 per
8 cent of total debt obligation, a breakdown of the assistance that
9 shall be provided to all eligible communities at said 50 per cent
10 level and recommendations on the potential sources of funding for
11 said plan. Said plan shall be filed with the governor, the house and
12 senate committees on ways and means and the joint committee on
13 natural resources not later than October 1, 1997.

1 SECTION 351. There shall be within the University of Massa-
2 chusetts a University of Massachusetts Extension Board of Public
3 Overseers, with the purpose of advising and assisting the chan-
4 cellor of the University of Massachusetts at Amherst, in the mis-
5 sion, budget, operation and management of University of
6 Massachusetts Extension programs. Nothing in this section shall
7 directly affect the employment status of personnel.

8 The board shall consist of a designee of the president of the
9 University, a designee of the chancellor of the University of
10 Massachusetts at Amherst, the commissioner of the department of
11 food and agriculture or his designee, and the following members
12 to be appointed by the governor: four members recommended by
13 the Massachusetts Farm Bureau Federation, Inc., a member rec-
14 ommended by the Massachusetts 4-H Foundation, Inc., a member
15 recommended by the State 4-H Advisory Committee, a member
16 recommended by the Massachusetts Forestry Association, a
17 member recommended by the Massachusetts Audubon Society,
18 two members recommended by the Massachusetts Arborists Asso-
19 ciation and a member recommended by the Massachusetts Nutri-
20 tion Board. The chancellor of the University of Massachusetts at
21 Amherst shall appoint the chair from among the membership of
22 the board. Members of the board shall serve without pay, but shall
23 be reimbursed, subject to appropriation, out of any funds available
24 for the purpose, for necessary expenses incurred in the perfor-
25 mance of their official duties.

26 The appointed members of the Board shall serve for terms of
27 five years, except for persons appointed to fill vacancies, who
28 shall serve for the unexpired term. The board shall hold an annual
29 meeting in January and at least three other times during the year.
30 The University of Massachusetts extension director shall attend all
31 meetings of the board and shall serve as secretary thereto, but
32 shall have no vote in its deliberation. Seven members of the board
33 shall constitute a quorum. The board may, by a vote of its mem-
34 bers then in office, adopt policy for the conduct of business
35 including constitution of board membership. Policies may be
36 amended or repealed by a two-thirds vote of its members.

37 The director shall prepare an annual budget for board consider-
38 ation. Said budget shall be adopted by the board with the approval
39 of the chancellor. The director shall render a complete detailed

40 report annually of all activities, outcomes, revenues and expendi-
41 tures of the board.

42 The university on behalf of the board may receive, manage, and
43 disburse grants and donations from government agencies, other
44 colleges and universities, corporations, foundations, associations
45 and individuals for the purpose of funding University of Massa-
46 chusetts Extension and agricultural research programs. Further,
47 the university on behalf of the board shall be authorized to estab-
48 lish and administer trust funds to support said programs.

1 SECTION 352. Section 57 of chapter 121B of the General
2 Laws, as appearing in the 1994 Official Edition, is hereby
3 amended by striking out, in lines 38 and 39, the words “two mil-
4 lion five hundred thousand dollars” and inserting in place thereof
5 the following figure: — \$4,500,000.

1 SECTION 353. Said section 57 of said chapter 121B, as so
2 appearing, is hereby further amended by striking out, in line 40,
3 the words “fifty million dollars” and inserting in place thereof the
4 following figure: — \$50,000,000.

1 SECTION 354. Notwithstanding any general or special law to
2 the contrary, the commissioner of the division of capital planning
3 and operations is hereby authorized and directed, in consultation
4 with the administrative office of the trial court department, to
5 establish and implement on or before August 1, 1997 expedited
6 procedures for advertising, bidding, approving and executing the
7 15-year leases for the juvenile courts that have been authorized by
8 the asset management board. On or before August 1, 1997, said
9 commissioner, in consultation with said administrative office,
10 shall file a report with the inspector general, the joint committee
11 on the judiciary and the house and senate committees on ways and
12 means describing the expedited procedures that have been estab-
13 lished and implemented.

1 SECTION 355. Notwithstanding any general or special law,
2 rule or regulation to the contrary, any regional council of govern-
3 ment established under the provisions of chapter 40Q of the
4 General Laws, or any organization established by a regional

5 council of government for the benefit of two or more of the enti-
6 ties contained within such regional council of government, or any
7 sheriff's department or subdivision thereof, shall be entitled to
8 purchase goods and services from any vendor located within the
9 geographic area comprising such regional council of government,
10 or in the case of a sheriff's office the primary geographic area
11 served by said sheriff's office, even if such vendor is not on the
12 state's accepted vendor list; provided, however, that the cost for
13 any goods and services purchased from a local vendor shall not
14 exceed the cost for such goods and services if purchased from a
15 state accepted vendor.

1 SECTION 356. There is hereby established a Special Commis-
2 sion on State Local Aid Distribution, including members of the
3 General Court, which is charged to investigate and study the his-
4 tory of local assistance, including chapter 70 school aid, addi-
5 tional assistance and the lottery distribution; to investigate and
6 study the formula used to calculate the distribution of such local
7 assistance monies to cities and towns; to investigate and to study
8 the purposes for which these funds are expended by the munici-
9 palities. Said commission shall investigate the local aid fund, so-
10 called, and detail all income and other revenues received into said
11 fund and shall determine if revenues generated by vendors
12 licensed by the Massachusetts state lottery commission in each
13 respective city or town in the commonwealth are less, equal to, or
14 more than the amount returned by the state to each respective city
15 or town in local aid. Said commission shall consist of two mem-
16 bers of the house of representatives appointed by the speaker, one
17 member of the house of representatives appointed by the minority
18 leader, two members of the senate appointed by the senate presi-
19 dent, one member of the senate appointed by the minority leader,
20 the commissioner of the department of revenue or his designee, a
21 member of the Massachusetts Municipal Association to be
22 selected by a majority vote of the other members of the board and
23 a representative from the state lottery commission appointed by
24 the state treasurer who shall hold said position as an ex-officio
25 member of the commission without vote. Said commission shall
26 report its findings and recommendations for improving the local

27 aid distribution system by filing the same with the house and
28 senate committees on ways and means by January 15, 1998.

1 SECTION 357. Chapter 261 of the acts of 1991 is hereby
2 amended by striking out the words “for up to ten thousand dollars
3 per calendar year” and inserting in place thereof the following
4 words: — “for up to \$30,000 per calendar year”.

1 SECTION 358. Notwithstanding any general or special law to
2 the contrary, the executive office of environmental affairs is
3 authorized and directed to seek, to the maximum extent possible,
4 any and all federal financial assistance for the installation of air
5 pollution control devices consistent with the requirement of
6 section 129 of the Clean Air Act amendments of 1990, for the pur-
7 pose of assisting municipalities with these costs. Said office shall
8 report the progress of such efforts from time to time as may be
9 appropriate, and at least once each six months, to the house and
10 senate committees on ways and means and the committee on nat-
11 ural resources and agriculture.

1 SECTION 359. The commissioner of the department of social
2 services shall study and submit a report to the senate and house
3 committees on ways and means not later than December 15, 1997
4 regarding the costs, federal reimbursements and benefits of col-
5 laborating with a college or university to provide training to the
6 employees of the department.

1 SECTION 360. A special commission is hereby established to
2 study and investigate the impact and effectiveness of the state pro-
3 grams created by chapter 19 of the acts of 1993. The study and
4 investigation shall include, but not be limited to, the economic
5 development incentive program, the economic assistance coordi-
6 nating council, economic target areas, economic opportunity
7 areas, the Tax Increment Financing Program, the Buy Massachu-
8 setts Program, the Massachusetts Export Finance Fund, the Com-
9 monwealth Microloan Demonstration Program, and the
10 corporation for workforce training and development. Said com-
11 mission shall be comprised of twelve members, including three
12 members of the house of representatives, three members of the

13 senate, the secretary of administration and finance, or his
14 designee, the director of the office of business development, or his
15 designee, and four members selected by the governor, as follows:
16 two representatives of the business community and two represen-
17 tatives of labor. Said commission shall file a report of its findings
18 and recommendations with the joint committee on commerce and
19 labor and the house and senate committees on ways and means not
20 later than December 31, 1997.

1 SECTION 361. Upon the effective date of this act, any revenue
2 derived from the sale of veterans' license plates shall be divided
3 as appropriated pursuant to section 2 between the Soldiers' Home
4 in Massachusetts and the Soldiers' Home in Holyoke for their
5 maintenance and operation costs; provided, that any revenues
6 received by the registry from the sale of said plates in the final
7 quarter of the fiscal year shall be credited upon receipt to the
8 operations of said homes and may be expended in the subsequent
9 fiscal year.

1 SECTION 362. The commissioner of the department of rev-
2 enue is hereby authorized and directed to investigate the source
3 and verify the amount of excise imposed by section 4 of chapter
4 64A of the General Laws. The commissioner shall examine the
5 returns filed under said section 4 to determine the source of the
6 excise paid, and whether the gasoline powered vehicle traverses
7 roadways or water. The commissioner shall then verify that the
8 apportionment, as described in section 13 of said chapter 64A, of
9 excise paid under said chapter 64A is accurate and true. The com-
10 missioner shall conclude said investigation before December 1,
11 1997 and shall report the results of said investigation by filing the
12 same with the clerks of the house and senate, the house and senate
13 committees on ways and means and joint committee on natural
14 resources and agriculture.

1 SECTION 363. A special commission is hereby established to
2 study and investigate the activities, operation and oversight of the
3 commonwealth deferred compensation plan. Said commission will
4 study and make recommendations to include, but not be limited to
5 establishing a new system, by election or appointment, of state

6 employees and plan members to run, operate and control the oper-
7 ation and investment of funds of said plan. Said commission shall
8 make recommendations as to the personnel, administrative and
9 operational powers or limitations the proposed committee will
10 need to operate.

11 Said commission shall be made up of four members of the
12 house of representatives to be appointed by the speaker of the
13 house, one of whom shall be the chair of the house committee on
14 public service and three members of the senate to be appointed by
15 the president of the senate, one of whom shall be the chair of the
16 senate committee on public service.

17 Said commission shall report to the General Court the results of
18 its investigation and study together with its recommendations and
19 proposed legislation to carry said recommendations into effect, by
20 filing the report with the clerks of the house and senate on or
21 before the first of January 1998.

1 SECTION 364. There is hereby established in the office of the
2 chief justice for administration and management of the trial court
3 a pilot indigency verification unit. Said unit shall evaluate and
4 verify the assets, income and expenses of persons requesting
5 appointment of counsel pursuant to section 2 of chapter 211D of
6 the General Laws and make recommendations to the court relative
7 to the appointment of counsel for such persons. Said unit shall
8 obtain access to records of the department of transitional assis-
9 tance, the department of revenue, the department of correction and
10 all other state agencies which may possess information relevant to
11 the unit's evaluation and verification of said assets, income and
12 expenses. Said departments and all other state agencies shall
13 comply with any requests for records made by said unit. Said unit
14 may contract with providers of asset and credit records and other
15 relevant information for the provision of such information to the
16 unit. Said unit shall operate in three courts of the commonwealth
17 as determined by the chief justice. Said chief justice shall prepare
18 and submit to the house and senate committees on ways and
19 means a report on or before May 1, 1998. Said report shall eval-
20 uate the operations of the unit and make recommendations con-
21 cerning the potential for statewide expansion of the unit.

1 SECTION 365. The economic monitoring group in the depart-
2 ment of economic development is hereby instructed to conduct a
3 fiscal analysis on the impact of the provisions of chapter 203 of
4 the acts of 1996 imposing an additional tax on cigarette sales in
5 Massachusetts, upon retail sales in Massachusetts border commu-
6 nities.

7 Said department shall present said findings to the house and
8 senate committees on ways and means on or before October 1,
9 1997.

1 SECTION 366. Section 2 of chapter 353 of the acts of 1996 is
2 hereby amended by striking out the last sentence and inserting in
3 place thereof, the following two sentences: — Such sale, lease or
4 conveyance shall be for full and fair market value pursuant to the
5 appraisal process established by section 9, less all expenditures
6 incurred by the town of Belchertown in conjunction with the
7 town's occupancy, use and maintenance of the land and buildings
8 on parcel A pursuant to all license or leasing agreements with the
9 division prior to conveyance of parcel A to the town of Belcher-
10 town and less the costs to be incurred by the recipients for
11 removing asbestos containing materials from the properties, reme-
12 diating environmental conditions, and demolition of buildings
13 where renovation is economically unfeasible. Expenditures shall
14 include but not be limited to, license fees, lease or rent obliga-
15 tions, maintenance and custodial services, repairs, renovations and
16 alterations, public works and public safety services, property,
17 casualty and liability insurance, engineering surveys, other plans
18 and tests of the site and the costs of preparing a recordable survey
19 describing said parcel A and the costs of recording said plan at the
20 registry of deeds.

1 SECTION 367. The special commission on forest management
2 practices, so-called, established by section 341 of chapter 38 of
3 the acts of 1995 shall not expire before June 30, 1998.

1 SECTION 368. Chapter 353 of the acts of 1996 is hereby
2 amended by inserting after section 9 the following section: —

3 Section 9A. Notwithstanding any general or special law to the
4 contrary, an expired determination of need authorization for a

5 long-term care project granted pursuant to section 25C of chapter
6 111 of the General Laws, within a 25 mile radius of the town of
7 Belchertown shall be transferred by the department of public
8 health to the corporation and shall be implemented within a period
9 to be specified by said department.

1 SECTION 369. The executive office of transportation, in col-
2 laboration with the Massachusetts Port Authority, the southeastern
3 regional planning and economic development agency and other
4 local economic development agencies/parties in the second Bristol
5 district, is hereby authorized and directed to study the feasibility
6 of the creation of a port authority in the city of New Bedford; pro-
7 vided, that said study shall delineate an efficient intermodal trans-
8 portation network that includes, but is not limited to: optimum
9 economic use of the New Bedford/Fairhaven Seaport, an
10 expanded new Bedford Regional Airport, a proposed commuter
11 rail extension to Greater New Bedford, a ferry terminal which
12 includes both freight and passenger service and an aquarium on
13 the New Bedford waterfront, and evaluate potential benefits to the
14 city from the creation of a port authority and a detailed master
15 plan including time lines as to how the state should proceed with
16 these projects. Said study shall also evaluate the costs and benefits
17 of establishing such an authority. Said study shall be submitted to
18 the joint committee on transportation, the house and senate com-
19 mittees on ways and means, and the house and senate clerks not
20 later than December 31, 1997.

1 SECTION 370. For the purpose of expediting the locating of a
2 University of Massachusetts at Dartmouth downtown New Bed-
3 ford campus the division of capital planning and operations is
4 hereby directed as authorized in chapter 457 of the acts of 1996 to
5 have the request for proposal process completed by August 1,
6 1997.

1 SECTION 371. The executive office of transportation and con-
2 struction is hereby authorized and directed to study, independent
3 of any such study being conducted by the Woods Hole, Martha's
4 Vineyard and Nantucket Steamship Authority, the demand for
5 extended freight service to Nantucket and Martha's Vineyard and

6 how this demand may be met by adding an additional port to
7 service the islands. All feasible ports, including New Bedford,
8 shall be considered in said study. The study shall include, but not
9 be limited to: reviewing said Authority's current plan to address
10 its unmet demands; said Authority's control over licensing ferry
11 service to the islands. Said executive office of transportation and
12 construction shall report the results of said study by filing the
13 same, with its recommendations for solutions, which may include
14 a new governance structure for said Authority, and how the com-
15 monwealth should proceed with a comprehensive plan for ferry
16 service, by filing the same with the joint committee on transporta-
17 tion, the house and senate committees on ways and means, and the
18 house and senate clerks not later than August 1, 1997.

1 SECTION 372. That the department of employment and
2 training shall maintain an office within the downtown area of the
3 city of New Bedford. If consolidation or movement is considered
4 necessary by the department, said department shall request leg-
5 islative approval six months in advance of any such consolidation
6 or movement.

1 SECTION 373. Notwithstanding the provisions of any general
2 or special law or regulation to the contrary, the division of health
3 care finance and policy, in reviewing rates of reimbursement upon
4 the petition of nursing facilities located on the island of Nan-
5 tucket, the town of Provincetown, or owned by the Martha's Vine-
6 yard Hospital Foundation, shall take into consideration the extra
7 variable and fixed costs that said division may determine to rea-
8 sonably result from operating a geographically isolated nursing
9 facility located on the islands of Martha's Vineyard and Nan-
10 tucket, or in the town of Provincetown; provided, that the com-
11 mission shall not consider any adjustments to said rates that are
12 not federally reimbursable; and provided further, that for the
13 Martha's Vineyard Hospital Foundation said review shall consider
14 promulgating adjustment to said rates for the period of time that
15 the foundation owns a facility located on the Island of Martha's
16 Vineyard in the county of Dukes and also administers a federally
17 designated sole community provider hospital. The division of
18 medical assistance, pursuant to the second paragraph of section 12

19 of chapter 118E of the General Laws, is hereby authorized to enter
20 into a contract with said nursing facilities to implement the adjust-
21 ment to rates, if any, provided for by this section.

1 SECTION 374. Notwithstanding the provisions of any general
2 or special law or rule or regulations to the contrary, geographi-
3 cally isolated federally designated sole community provider hos-
4 pitals that have filed for bankruptcy and that the department of
5 public health has deemed essential to the preservation of public
6 health shall have all liability to the uncompensated care pool trust
7 fund permanently extinguished and of no further force or effect.

1 SECTION 375. Notwithstanding 310 CMR 10.23 or any other
2 regulation to the contrary, Eastward Ho!, in the Town of Chatham,
3 Massachusetts may construct a coastal engineering structure to
4 prevent further coastal erosion from occurring at Hole #7; pro-
5 vided, however, that a notice of intent is filed with the department
6 of environmental protection and the Chatham conservation com-
7 mission.

1 SECTION 376. The commissioner of public health is hereby
2 authorized and directed to develop a plan for the continuation of
3 the Weapons Related Injury Surveillance System after the cessa-
4 tion of federal funding for said program, including an analysis of
5 alternative sources of funding for the continuation of said pro-
6 gram. Said plan shall be filed with the governor, the house and
7 senate committees on ways and means and the senate committee
8 on post audit and oversight not later than September 1, 1997.

1 SECTION 377. The division of medical assistance is hereby
2 directed to conduct an investigation and study of the current
3 nursing home bed holds standards and regulations as expressed in
4 item 4000-0300. Said study shall include an investigation of the
5 feasibility and ramifications of expanding the length of time
6 relative to nursing home bed holds and an evaluation of appro-
7 priate financial reimbursement levels for said expansion. Said
8 division shall report the result of such investigation and study by
9 filing the same with the joint committee on health care on or
10 before September 30, 1997; provided, however, that the division

11 shall, prior to concluding said study, consult with parties affected
12 by said division's matter of study, including but not limited to, the
13 Massachusetts Law Reform Institute and Health Care For All and
14 Massachusetts Senior Action.

1 SECTION 378. The Secretary of the executive office of admin-
2 istration and finance is hereby authorized and directed to conduct
3 a study of the costs of training state and municipal employees and
4 report any recommendations and accompanying legislation
5 relative to the equitable use of assessments on all said employees
6 receiving training from the state to the clerks of the house of rep-
7 resentatives and senate, the house and senate chairs of the com-
8 mittee on ways and means, and the house and senate chairs of the
9 joint committee on public safety on or before January 1, 1998.

1 SECTION 379. Notwithstanding the provisions of any general
2 or special law to the contrary, the division of local services of the
3 department of revenue, in consultation with the department of
4 environmental protection, shall examine the current eligibility cri-
5 teria for the distribution of funds from the Commonwealth Sewer
6 Rate Relief Fund established by section 22 of chapter 29 of the
7 General Laws and evaluate the equability of the current method
8 versus a method which bases eligibility upon an index which cor-
9 relates indebtedness to population, so as to establish eligibility on
10 a per capita basis. Said study shall include an analysis of the
11 number of communities at each level of per capita indebtedness,
12 the statewide average of such indebtedness, the communities
13 which could be served by such a formula at the present funding
14 level, and the indexed communities which could be assisted at
15 various funding levels. Said study, together with any concomitant
16 funding or other recommendations, shall be filed with the house
17 and senate committees on ways and means no later than December
18 31, 1997.

1 SECTION 380. Notwithstanding the provisions of any general
2 or special law, rule or regulation to the contrary, any specialty
3 hospital, as defined in section 1 of chapter 118G of the General
4 Laws, which provides free care, as defined in said section 1 of
5 said chapter 118G, shall be exempt from the provisions of

6 section 18 of said chapter 118G; provided, that said specialty hos-
7 pital's gross outpatient service revenue equals at least 80 per cent
8 of its gross patient service revenue for the year ending December
9 31, 1996. For the purposes of this section "gross outpatient
10 service revenue" shall mean gross patient service revenue minus
11 gross inpatient service revenue.

1 SECTION 381. Chapter 52 of the General Laws, as appearing
2 in the 1994 Official Edition, is hereby amended by adding after
3 section 1 the following new section: —

4 Section 1A. Notwithstanding the provisions of this chapter or
5 any other general or special law to the contrary, the Republican
6 political party shall, in the manner herein provided, elect a state
7 committee from among its members who either have enrolled on
8 or before the ninetieth day prior to the last day for filing nomina-
9 tion papers for state committees with the state secretary, or are
10 newly registered voters in their city or town enrolled in the
11 Republican political party and have not been enrolled in the
12 Republican political party and have not been enrolled in another
13 political party during the year preceding such last day for filing
14 nomination papers. The Republican state committee shall consist
15 of one man and one woman from each senatorial district; provided
16 they are residents thereof, to be elected at the presidential pri-
17 maries by plurality vote of the members of the Republican party
18 in the district; in addition to those members elected to the state
19 committee any member of the Republican party elected to the
20 positions of Attorney General of the Commonwealth, County
21 Clerk of Courts, County Commissioner, County Sheriff, County
22 Treasurer, County Register of Deeds, County Register of Probate,
23 District Attorney, Governor, Governor's Councilor, Lieutenant
24 Governor, Secretary of State, State Auditor, State Representative,
25 State Senator, State Treasurer, United States Representative for
26 Massachusetts or United States Senator for Massachusetts shall
27 automatically become an ex-officio voting member of the state
28 committee, and such number of members as may be appointed by
29 the state committee as hereinafter provided. Members of said
30 committee elected at the presidential primaries from senatorial
31 districts shall hold office for a period of four years from the thir-
32 tieth day next following their election; provided that any member

33 of said committee who automatically becomes a member of the
34 committee by virtue of election to one of the public offices herein
35 enumerated shall hold office on the state committee for a period
36 coterminous with the term established for said public office; pro-
37 vided that upon early resignation or removal from said public
38 office membership in the state committee shall simultaneously ter-
39minate. Members appointed by the state committee shall hold
40 office for two years from the date of their appointment; provided,
41 however, that in no event shall the terms of office of such mem-
42bers extend beyond the term of office of those members of the
43 committee elected at the presidential primaries.

44 The members of the state committee elected at the presidential
45 primaries shall, within ten days after the thirtieth day next
46 following their election, meet with the members of the state com-
47 mittee who serve by virtue of their election to one of the public
48 offices herein enumerated and organize for the purpose of
49 choosing a secretary, treasurer, chairman and such other officers
50 as they may decide to elect. Notwithstanding the provisions of any
51 general or special law to the contrary, a chairman shall serve in his
52 respective position until his successor has been chosen; provided,
53 however, that in the event the committee requires its chairman be
54 a member and such elected chairman ceases to be a member, the
55 committee shall choose a temporary chairman who shall serve
56 until a permanent chairman is chosen in the manner outlined in
57 this paragraph. Such committee may, at any time after its organi-
58zation, add to its membership.

59 The secretary of the state committee shall file with the state
60 secretary, and send to each city and town committee, within ten
61 days after such permanent organization, a list of the members of
62 the state committee and of its officers, and within ten days after
63 each change or addition to its membership made subsequently to
64 its permanent organization, a list of the members so added or
65 removed.

66 A vacancy in the office of chairman, secretary or treasurer of
67 the state committee or in the membership thereof shall be filled by
68 said committee, and a statement of any such change shall be filed
69 as in the case of the officers first chosen.

1 SECTION 382. Notwithstanding any provision of general or
2 special law to the contrary, the division of employment and
3 training, the corporation for workforce training and development,
4 and any other agency acting for the commonwealth as recipient
5 under the Job Training Partnership Act is hereby authorized to
6 seek from the United States Secretary of Labor a waiver under
7 section 164(e) of said Act of any asserted monetary obligation,
8 determined or to be determined, of the city of Lynn. In seeking
9 said waiver, the agency acting for the commonwealth shall coop-
10 erate and coordinate its efforts with the city of Lynn.

1 SECTION 383. The Massachusetts Bay Transportation
2 Authority is hereby authorized and directed to undertake a com-
3 prehensive study reevaluating the current operations of Massachu-
4 setts Bay Transportation Authority bus service. Said study shall
5 include, but not be limited to, the cost of providing current bus
6 service, the cost of maintaining the current service with certain
7 cost savings initiatives to be jointly examined and discussed by
8 the authority and those currently providing bus service, the pro-
9 jected cost savings expected from altering the current provision of
10 such service, the number of employees who will be affected by
11 altering the current provision of such service, and the impact
12 altering the current provision of such service will have on federal
13 funding to the authority as a result of the provisions of section
14 13(c) of the Urban Mass Transportation Act of 1964. Said study
15 shall be submitted to the joint committee on transportation, the
16 joint committee on state administration and the house and senate
17 committees on ways and means not later than October 1, 1998.

18 Notwithstanding any other general or special law to the con-
19 trary, current operations of the Massachusetts Bay Transportation
20 Authority bus routes shall not be privatized before December 1,
21 1997.

1 SECTION 384. There is hereby established a special commis-
2 sion, to study the feasibility of amending subsection (4) of sec-
3 tion 1 of chapter 152 of the General Laws by inserting after the
4 third paragraph a provision allowing said subsection to become
5 elective as to bonafide corporate officers; provided that said
6 special commission shall consist of the secretary for administra-

7 tion and finance or his designee, two members appointed by the
8 president of the senate, one member appointed by the minority
9 leader of the senate, two members appointed by the speaker of the
10 house of representatives and one member appointed by the
11 minority leader of the house of representatives; provided, how-
12 ever, that said commission shall detail the number of businesses
13 affected by such a change and shall develop methods for fraud
14 protection with respect to this proposal and shall include proce-
15 dures to ensure the continued safeguard of worker's compensation
16 benefits for subordinate employees. Said special commission shall
17 report the result of said study together with its recommendations,
18 if any, and drafts of legislation necessary to carry out such recom-
19 mendations by filing the same with the senate and house commit-
20 tees on ways and means no later than December 1, 1997.

1 SECTION 385. (a) The department of capital planning and
2 operations is hereby authorized and directed to transfer, within 90
3 days of the effective date of this section, all of the common-
4 wealth's right, title, and interest in a certain parcel of land with
5 the buildings thereon, as described more fully in subsections (b),
6 (c) and (d), to the Boston renaissance charter public school, a
7 body corporate and politic established pursuant to and in accor-
8 dance with the provisions of section 89 of chapter 71 of the
9 General Laws, for a purchase price equal to the full and fair
10 market value less the value of any improvements made by said
11 school, of which \$1,250,000 shall be credited to the university of
12 Massachusetts. The full and fair market value shall be determined
13 by averaging three independent appraisals to be conducted at the
14 direction and expense of the division of capital planning and oper-
15 ations.

16 (a½) The inspector general shall review and approve said deter-
17 mination of value and said review shall include an examination of
18 the methodology utilized for said appraisals. The inspector
19 general shall prepare a report of his review and file said report
20 with said division for submission to the house and senate commit-
21 tees on ways and means. Said school shall assume the costs in full
22 of preparing a recordable survey describing said parcel, and shall
23 also assume the costs of recording said plan with the registry of
24 deeds for Suffolk county.

25 (b) The parcel to be conveyed is more fully described as
26 follows: A parcel of land with the buildings thereon on Arlington,
27 Stuart and Piedmont streets in Boston, Suffolk County, Massachu-
28 setts, described as and bounded westerly by Arlington street one
29 hundred thirty-five and ninety-seven one hundredths feet;
30 northerly by Stuart street one hundred eight and twenty-eight one
31 hundredths feet; easterly by land now or formerly of Bowditch
32 eighty-five and eleven one hundredths feet; northerly again by
33 land now or formerly of Bowditch twenty-five and forty-four one
34 hundredths feet; easterly again by land now or formerly of
35 Bowditch fifty-one and sixty-six one hundredths feet; and
36 southerly by Piedmont street one hundred twenty-eight and thirty-
37 two one hundredths feet.

38 (c) Said parcel contains fifteen thousand seven hundred ninety-
39 six square feet of land as shown on a plan entitled "Plan of Land
40 in Boston, Mass." by William S. Crocker, civil engineer, dated
41 December 11, 1948, with additions made December 31, 1948,
42 recorded with the Suffolk county registry of deeds on page 403 in
43 book 8,073.

44 (d) The premises, sometimes known as 250 Stuart street, 100 to
45 104 Arlington street, and 47 to 55 Piedmont street in Boston,
46 Massachusetts, are the same conveyed to the commonwealth of
47 Massachusetts by deed of eastern gas and fuel associates dated
48 October 3, 1966 and recorded with the Suffolk county registry of
49 deeds on page 403 in book 8,073.

50 (e) Notwithstanding any general or special law to the contrary,
51 the Boston renaissance charter public school may incur debt for
52 the purpose of acquiring land and constructing, reconstructing,
53 adding to, remodeling, making extraordinary repairs to and equip-
54 ping a school building or buildings, for a term not to exceed 25
55 years.

1 SECTION 386. That the Massachusetts Water Resources
2 Authority is hereby authorized to continue the current emergency
3 water agreement, its requirements and obligations, as entered into
4 with the Tri-Town Board of Water, created by chapter 217 of the
5 acts of 1885 until October 1, 1999."

1 SECTION 387. Notwithstanding any general or special law to
2 the contrary, the Group Insurance Commission is directed to pro-
3 vide all reports, studies, recommendations and contractual
4 changes for fiscal year 1999, commencing July 1, 1998, relative to
5 all deductibles, co-payments, and benefits as defined in
6 chapter 32A of the General Laws, to the house and senate commit-
7 tees on ways and means and the joint committee on public service
8 on or before November 1, 1997. Said commission is hereby autho-
9 rized and directed to conduct a properly posted public hearing
10 relative but not limited to said recommendations, studies and
11 reports, within 30 days, but no sooner than five days of the
12 issuance of said information to the general court.

1 SECTION 388. Notwithstanding the provisions of any other
2 general or special law, rule or regulation to the contrary, Plymouth
3 Cordage park is hereby eliminated as a Designated Port Area
4 under 301 C.M.R. 25 and 310 C.M.R. 9 and any other applicable
5 provisions of the code of Massachusetts regulations.

1 SECTION 389. The department of public health is hereby
2 authorized and directed to conduct a study and file a report on a
3 five-year program for prostate cancer education and screening
4 services. Said report shall include, but shall not be limited to: the
5 amount of state spending proposed, a statement of reasons in sup-
6 port of said amount, and efforts to be undertaken by said depart-
7 ment to establish and increase alternative sources of funding. Said
8 report shall be filed with the joint committee on health care and
9 the house and senate committees on ways and means not later than
10 December 31, 1997.

1 SECTION 390. The department of public health is hereby
2 authorized and directed to conduct a study and file a report on a
3 five-year program for breast cancer prevention, research, and
4 detection services. Said report shall include but shall not be lim-
5 ited to: the amount of state spending proposed, a statement of rea-
6 sons in support of said amount, and efforts to be undertaken by
7 said department to establish and increase alternative sources of
8 funding. Said report shall be filed with the joint committee on
9 health care and the house and senate committees on ways and
10 means not later than December 31, 1997.

1 SECTION 391. The secretary of administration and finance and
2 the department of environmental management, in consultation
3 with the Woods Hole, Martha's Vineyard and Nantucket
4 Steamship Authority, the southeastern regional planning and eco-
5 nomic development agency and other second Bristol district eco-
6 nomic development agencies are hereby authorized and directed to
7 prepare an implementation plan for the design and construction of
8 a ferry terminal at the New Bedford Aquarium site in the port of
9 New Bedford serving passengers, vehicles and freight. The secre-
10 tary of administration and finance, in consultation with the Center
11 for Marine Science and Technology at the University of Massa-
12 chusetts at Dartmouth and the New Bedford Aquarium Corpora-
13 tion, are authorized and directed to prepare an implementation
14 plan for the design and construction of the University of Massa-
15 chusetts at Dartmouth Center of Marine Science and Tech-
16 nology/Science, Education, and Economic Development (SEED)
17 center at the New Bedford Aquarium site. Said plans shall assume
18 a completion date for the design and construction of said terminal
19 and the SEED center of not later than December 31, 1998. Said
20 implementation plans shall be filed with the joint committee on
21 transportation and the house and senate committees on ways and
22 means not later than December 31, 1997.

1 SECTION 392. Notwithstanding any general or special law,
2 regulation, or order to the contrary, the department of public utili-
3 ties is hereby directed to include the town of Belmont and the city
4 known as the town of Watertown within the boundary lines of
5 the 617 area code in D.P.U. 96-61 (1997) and D.P.U. 96-61A
6 (1997).

1 SECTION 393. The provisions of sections 114 to 117, inclu-
2 sive, of this act shall be effective for any tax year beginning on or
3 after January 1, 1997.

1 SECTION 394. The provisions of sections 45 to 63, sections 66
2 to 80, section 113, section 120, sections 125 to 128, sections 185
3 and 186; sections 200 and 201; section 214; sections 233 and 234;
4 section 242; and sections 244 to 246 of this act shall take effect on
5 July 1, 1998.

1 SECTION 395. The provisions of section 2KK of chapter 29 of
2 the General Laws, inserted by section 39 of this act, shall take
3 effect on July 1, 1998.

1 SECTION 396. The provisions of section 38A of chapter 36 of
2 the General Laws, inserted by section 94 of this act, shall take
3 effect on January 1, 2001.

1 SECTION 397. Sections 208A and 208B of this act shall take
2 effect on June 30, 1997.

1 SECTION 398. Except as otherwise provided in this act, this
2 act shall take effect on July 1, 1997.

